City of Miami Beach - City Commission Meeting Commission Chambers, 3rd Floor, City Hall 1700 Convention Center Drive April 14, 2004

Mayor David Dermer Vice-Mayor Saul Gross Commissioner Matti Herrera Bower Commissioner Simon Cruz Commissioner Luis R. Garcia, Jr. Commissioner Jose Smith Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez City Attorney Murray H. Dubbin City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Call to Order - 9:00 a.m. Inspirational Message, Pledge of Allegiance Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports

C4 Commission Committee Assignments

C6 Commission Committee Reports

C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports

R5 Ordinances

R6 Commission Committee Reports

R7 Resolutions

R9 New Business and Commission Requests

R10 City Attorney Reports

Reports and Informational Items



"We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community."

Consent Agenda

PA - Presentations and Awards

- PA1 Community Development Heroes Awards To Be Presented To Individuals For Making Significant Contributions To The City Of Miami Beach Using HUD Funds. (Page 1) (Neighborhood Services)
- PA2 Certificates Of Appreciation To Be Presented To Several Outgoing City Board And Committee Members For Their Years Of Volunteer Service.

 (Requested by Mayor David Dermer)
- PA3 Proclamation To Be Presented In Honor Of Cafe Avanti's Anniversary. (Requested by Mayor David Dermer)
- PA4 Proclamation To Be Presented In Honor Of "Vote Miami Beach 2004 Day." (Requested by Commissioner Richard L. Steinberg)
- PA5 Presentation To The Mayor And Commission By The North Beach Development Corporation.
- PA6 Certificate Of Appreciation To Be Presented To Rosa Cartas For Her Dedication In Helping The Elderly In Miami Beach.

 (Requested by Commissioner Matti Herrera Bower)

CONSENT AGENDA

Action: Moved: Seconded: Vote:

C2 - Competitive Bid Reports

C2A Request For Approval To Issue Purchase Orders To Crown Sanitary Supply, Pyramid School Products, Quality Chemical Company, Elmbrook Corporate Services And American Plumbing And Electrical Supply Pursuant To Invitation To Bid No. 19-03/04 For The Purchase Of Miscellaneous Cleaning Equipment And Supplies For The Miami Beach Convention Center And Jackie Gleason Theater Of The Performing Arts In The Amount Of \$175,576.42. (Page 4)

C2 - Competitive Bid Reports (Continued)

- C2B Request For Approval To Purchase, Pursuant To Florida Department Of Transportation Contract No. PO384, From Southern Sewer Equipment Sales, In The Amount Of \$195,515, One (1) 2004 VAC-CON Sewer Cleaner Mounted On A 2004 Sterling LT7501 Truck. (Page 9) (Fleet Management)
- C2C Reguest For Approval To Purchase, Pursuant To Florida State Contract No. 03-11-0825, From Duval Ford, In The Amount Of \$115,237.00, Five (5) 2004 Ford F-150 4x2 Pick Up Trucks, One (1) 2004 Ford F-250 Utility Body Truck, And One (1) 2004 Ford F-250 4x4 Pick Up Truck With Fiberglass Topper. (Page 14)

(Fleet Management)

Reguest For Approval To Award Contracts To Royal Rent-A-Car Systems of Florida, (Primary) And C2D To Acme Auto Leasing, LLC, (Secondary) Only In The Event The Primary Vendor Cannot Meet It's Contractural Obligations, Pursuant To Invitation To Bid No. 23-03/04, For Vehicle Rental/Lease Services For The City Of Miami Beach, In The Estimated Annual Amount Of \$193,466. (Page 17)

(Police Department)

C2E Reguest For Approval To Award A Contract To Master Mechanical Service, Inc. Pursuant To Invitation To Bid No. 6-03/04 For The Carl Fisher Club House HVAC Renovations In The Amount Of \$44,875. (Page 26)

(Public Works)

C2F Request For Approval To Award A Contract To Central Concrete Supermix, Pursuant To Invitation To Bid No. 01-03/04 For The Purchase And Delivery Of Bulk Concrete Mix In The Estimated Amount Of \$131,000. (Page 29)

(Public Works)

C4 - Commission Committee Assignments

- C4A Referral To The Planning Board - Discussion Regarding A Code Amendment Increasing The Minimum Unit Size For New Construction. (Page 41) (Requested by Commissioner Jose Smith)
- C4B A Referral To The Finance And Citywide Projects Committee For Review And Discussion The Development And Use Of The Parking Lot And Associated Landscaping Improvements Adjacent To The Shane Watersports Center As It Relates To That Certain Second Amended And Restated/Consolidated Lease Agreement With Miami Beach Watersports Center, Inc., As Lessee, For The City-Owned Property Located At 6500 Indian Creek Drive, Miami Beach, Florida. (Page 43)

(Economic Development)

C6 - Commission Committee Reports

- Report Of The Neighborhood/Community Affairs Committee Meeting Of February 17, 2004: 1) Discussion Regarding Proposed Amendments To The Existing Debarment And Lobbying Ordinances; 2) Discussion Regarding The Transfer Of Beach Patrol From The Parks Department To The Fire Department; 3) Discussion Regarding Potential Enhancements To The Pine Tree Bark Park; And 4) Discussion Regarding An Ordinance Amending Miami Beach City Code Chapter 2, Article III "Agencies, Boards And Committees," Section 2-22(5) Thereof Establishing Term Limits Of Board And Committee Members, By Providing That Said Term Limits Should Not Include Time Served As A Result Of Having Filled A Vacancy; Providing For Repealer, Severability, Codification, And An Effective Date. (Page 50)
- Report Of The Finance And Citywide Projects Committee Meeting Of March 15, 2004: 1) Discussion Regarding The Review, Assessment, And Recommended Structure Of The Greater Miami Convention And Visitors Bureau Conducted By Economic Research Associates (ERA); 2) Discussion Regarding A Proposed Multi-Purpose Space Expansion To The Miami Beach Convention Center; 3) Discussion Regarding The Colony Theatre Project; 4) Discussion Regarding The Lists Of Projects To Be Considered For Inclusion In The Miami-Dade General Obligation Bond Issue; And 5) Second Amendment To The Interlocal Agreement Between The City Of Miami Beach And Miami-Dade County. (Page 84)
- C6C Report Of The Neighborhood/Community Affairs Committee Meeting March 22, 2004: 1) Discussion Regarding An Ordinance Amending Miami Beach City Code Chapter 2, Article III "Agencies, Boards And Committees," Section 2-22(5) Thereof Establishing Term Limits Of Board And Committee Members, By Providing That Said Term Limits Should Not Include Time Served As A Result Of Having Filled A Vacancy; Providing For Repealer, Severability, Codification, And An Effective Date; 2) Discussion Regarding The Use Of Channel 20 To Broacast Public Service Announcements; And 3) Discussion Regarding Additional Criteria Be Added To Existing City's Human Rights Ordinance. (Page 98)

C7 - Resolutions

C7A A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Qualifications Received Pursuant To Request For Qualifications (RFQ) No. 68-02/03, For The Engineering, Urban Design, And Landscape Architecture For Planning, Design, Bid And Award And Construction Administration Services For The City Center Right Of Way Infrastructure Improvement Project; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Chen And Associates; Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration Not Be Able To Negotiate An Agreement With The Second-Ranked Firm, Authorizing The Administration To Negotiate With The Third-Ranked Firm Of Edwards And Kelcey. (Page 103)

(Capital Improvement Projects)

C7 - Resolutions (Continued)

C7B A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms Pursuant To Request For Proposals (RFP) No. 9-03/04, For Public Relations Services And Marketing And Communications Consulting Services For The City Of Miami Beach, And Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Susan Brustman And Associates. (Page 116)

(Tourism & Cultural Development)

A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Current Professional Services Agreement Between The City Of Miami Beach And The Firm Of Bermello, Ajamil And Partners, Inc. For Parks Master Plan Bond Program Sites Of North Shore Park, North Shore Open Space, Pinetree Park, Parks Maintenance Facility, Lummus Park And South Pointe Park To Provide For An Extension Of Time And For Additional Services, In The Amount Of \$135,623.38, For The Projects; Utilizing \$30,000 From Safe Neighborhood Parks Bond Funds Already Allocated And Appropriated For North Shore Open Space Park; And Further Appropriating \$105,623.38 From The Interest Earned From The 1995 Parks General Obligation Bond As Follows To Fully Fund The Extension Of Time And Additional Services: \$55,500 For North Shore Park And Youth Center; \$21,623.38 For Lummus Park; \$30,000 For North Shore Open Space Park; And \$28,500.00 For The Parks Maintenance Facility. (Page 129)

(Capital Improvement Projects)

A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 5 To The Agreement With Brown And Brown Architects Dated July 8, 1996, For Additional Services For On-Site Inspection And For Construction Administration Beyond The Contract Time For The Re-Roofing Project At The Miami Beach Convention Center And The Jackie Gleason Theater Of The Performing Arts In The Amount Of \$38,850; And That Funds For This Activity Be Transferred From The Convention Center Escalator Chain Replacement Account And Appropriated For This Purpose. (Page 154)

(Capital Improvement Projects)

A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Approving The Renewal Term Of The Management Agreement Between The City Of Miami Beach And The Miami Beach Garden Conservancy, Inc., For The Management And Operation Of The Miami Beach Botanical Garden; Said Term Being For A Period Of Two (2) Years; And Additionally, Providing For Waiver, By 5/7ths Vote, Of The Competitive Bidding Requirements, Finding Such Waiver In The Best Interest Of The City, In Light Of The Anticipated Design And Construction Schedule For The Botanical Garden, Pursuant To The City's Capital Improvement Program And Providing For One (1) Additional Renewal Term Year; For A Total Renewal Period Of Three (3) Years, Commencing On June 20, 2004 And Ending On June 22, 2007. (Page 163)

(Economic Development)

C7F A Resolution Establishing April 2004 As "Fair Housing Month" In The City Of Miami Beach. (Page 186)

(Neighborhood Services)

C7 - Resolutions (Continued)

- C7G A Resolution To Join With Communities Across The United States In Proclaiming April 12-16, 2004
 As "National Community Development Week" In The City Of Miami Beach. (Page 189)
 (Neighborhood Services)
- A Resolution Approving And Adopting The Attached Local Housing Assistance Plan For The State Housing Initiatives Partnership (SHIP) Program For Fiscal Years 2004/05, 2005/06, And 2006/07, As Required By The State Housing Initiatives Partnership Program Act, Subsections 120.907-420.9079, Florida Administrative Code; Authorizing The Necessary Certifications By The Mayor And The City Clerk; Authorizing Submission Of The Local Housing Assistance Plan For Review And Approval By The Florida Housing Finance Corporation; Authorizing The Appropriation Of SHIP Program Funds For Fiscal Year 2004/05, In The Amount Of \$429,255; Fiscal Year 2005/06, In The Amount Of \$429,255; And Fiscal Year 2006/07, In The Amount Of \$429,255; Or Such Final Allocation Amounts, As Adjusted By The Florida Housing Finance Corporation; And Authorizing The Appropriation Of Any Interest Accrued Thereon, For Eligible Activities Under The Ship Program Rules. (Page 192) (Neighborhood Services)
- A Resolution Setting A Public Hearing To Consider The Temporary Establishment Of Nine (9) On-Street Parking Spaces And A Temporary Restricted Residential Parking Program, Not To Exceed A Term Of Six Months, For The Vistas Condominium, Located At One Century Lane; Said Parking Program To Be Established On The Venetian Causeway, Between Century Lane And Island Avenue. (Page 221)

(Parking Department)

- C7J A Resolution Approving A Waiver, By 5/7th Vote, Of The Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City, And Further Approving, Appropriating Funds For, And Establishing A Work Order, In The Amount Of \$94,000, From Parking Revenue Bond Fund No. 481, For The Purchase And Installation Of A Pay On Foot (POF) Station From Royce Parking Control Systems, To Be Initiated At The 13th Street And Collins Avenue Garage. (Page 230) (Parking Department)
- C7K A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Qualifications Received Pursuant To Request For Qualifications (RFQ) No. 02-03/04, For The Planning, Design, Bid And Award, And Construction Administration Services For The Old Miami Beach Library Rotunda Restoration Project; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of M.C. Harry & Associates, Inc.; And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of Edward Lewis Architects, Inc.; And Should The Administration Not Be Able To Negotiate An Agreement With The Second-Ranked Firm, Further Authorizing The Administration To Negotiate With The Third-Ranked Firm Of R.J. Heisenbottle Architects, P.A. (Page 247)

(Capital Improvement Projects)

End of Consent Agenda

PA - Presentations and Awards



- PA1 Community Development Heroes Awards To Be Presented To Individuals For Making Significant Contributions To The City Of Miami Beach Using HUD Funds.

 (Neighborhood Services)
- PA2 Certificates Of Appreciation To Be Presented To Several Outgoing City Board And Committee Members For Their Years Of Volunteer Service.

 (Requested by Mayor David Dermer)
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 (Requested by Commissioner Matti Herrera Bower)

AGENDA ITEM PA1-6 DATE 4-14-04

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

Request for Approval to Issue Purchase Orders to Crown Sanitary Supply, Pyramid School Products, Quality Chemical Company, Elmbrook Corporate Services and American Plumbing and Electrical Supply Pursuant to Invitation to Bid No. 19-03/04 for the Purchase of Miscellaneous Cleaning Equipment and Supplies for the Miami Beach Convention Center and Jackie Gleason Theater of the Performing Arts (TOPA) in the Amount of \$175,576.42.

Issue:

Shall the City Commission Approve the Issuance of Purchase Orders to Crown Sanitary Supply; Pyramid School Products, Quality Chemical Company, Elmbrook Corporate Services and American Plumbing and Electrical Supply?

Item Summary/Recommendation:

The purpose of this bid is to establish a contract, by means of sealed bids to a qualified vendor(s) for the Purchase and Delivery of Miscellaneous Cleaning Equipment and Supplies for the Miami Beach Convention Center and Jackie Gleason Theater. The purchase is for various waste receptacles, carpet extractors, vacuum cleaners, washers, dryers, etc. Because this bid is for various types of cleaning equipment and supplies, the City reserves the right to award to multiple vendors.

It is recommended that the City issue purchase orders to Crown Sanitary Supply, Pyramid School Products, Quality Chemical Company, Elmbrook Corporate Services and American Plumbing and Electrical Supply for line items as shown on the bid tabulation.

APPROVE THE AWARD

Advisory Board Recommendation	Advisory	' Board	Recomm	endation
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N/A

Financial Information:

Source of		Amount	Account	Approved
Funds:	1	\$100,000.00	441.2366.069358	
Ω	2	\$ 25,576.42	441.2412.069358	
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	3	\$ 50,000.00	441.2367.069358	
1717	4			1941
Finance Dept.	Total	\$175,576.42		

City Clerk's Office Legislative Tracking:

Gus Lopez, Ext. 6641

Sian-Offs:

Department Director	Assistant City Manager	City Manager
рт_Д	CMC <u>WL</u>	JMG

T:\AGENDA\2004\Apr1404\Consent\Cleaning supplies MBCC Summary.doc

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



Date: April 14, 2004

COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

REQUEST FOR APPROVAL TO ISSUE PURCHASE ORDERS TO CROWN SANITARY SUPPLY, PYRAMID SCHOOL PRODUCTS, QUALITY CHEMICAL COMPANY, ELMBROOK CORPORATE SERVICES AND AMERICAN PLUMBING AND ELECTRICAL SUPPLY PURSUANT TO INVITATION TO BID NO. 19-03/04 FOR THE PURCHASE OF MISCELLANEOUS CLEANING EQUIPMENT AND SUPPLIES FOR THE MIAMI BEACH CONVENTION CENTER AND JACKIE GLEASON THEATER OF THE PERFORMING ARTS (TOPA) IN THE AMOUNT OF

\$175,576.42.

ADMINISTRATION RECOMMENDATION:

Approve the Award.

FUNDING:

\$100,000.00	Funds are available from Acct. 441.2366.069358
\$ 25,576.42	Funds are available from Acct. 441.2412.069358
\$ 50,000.00	Funds are available from Acct. 441.2367.069358
\$175,576.42	

Total funding in the amount of \$35,000,000 has been appropriated from Fiscal Year (FY) 96/97 through 03/04, for the Convention Center and Jackie Gleason Theater of the Performing Arts (TOPA) Capital Projects. Pursuant to the City Commission request for balance updates to be current, preliminary figures through March 24, 2004 show \$26,560,244.32 disbursed, with and additional \$4,483,268.27 encumbered for projects in progress. It is estimated that the City will need to spend funds from the \$10,000,000 held for the Cultural Arts Council before the end of FY 03/04.

ANALYSIS:

Invitation to Bid No. 19-03/04 (the "Bid") was issued on February 4, 2004, with an opening date of February 27, 2004. BidNet issued bid notices to 29 prospective bidders. Additionally, the Procurement Division sent the bid announcement to the Governmentbids.com. The notices resulted in the receipt of six (6) bids.

Commission Memo April 14, 2004 ITB No. 06-03/04 Page 2

The purpose of this bid is to establish a contract, by means of sealed bids to a qualified vendor(s) for the purchase and delivery of miscellaneous cleaning equipment and supplies for the Miami Beach Convention Center and Jackie Gleason Theater of the Performing Arts (TOPA). The purchase is for various waste receptacles, carpet extractors, vacuum cleaners, washers, dryers, etc. Because this bid is for various types of cleaning equipment and supplies, the City reserves the right to award to multiple vendors.

The Bid documents refer to manufacturer's name, brand name and model number for the purpose of establishing minimum requirement of level of quality, standards of performance and design required. Where equal products were bid, the Convention Center found the products to be equal in quality, standards of performance and design to the item specified, except for items 4 and 14 (see attached bid tabulation).

RECOMMENDATION

Based on the analysis of the bids received, it is recommended that the City issue purchase orders to Crown Sanitary Supply, Pyramid School Products, Quality Chemical Company, Elmbrook Corporate Services and American Plumbing and Electrical Supply for line items as shown on the bid tabulation.

BID TABULATION

See attached bid tabulation.

VENDOR NAME	ITEMS AWARDED	AMOUNT OF PURCHASE ORDER
Crown Sanitary Supply	1, 8, 20A thru 20I	\$ 85,154.50
Pyramid School Products	2,4	\$ 12,423.65
Quality Chemical Company	6, 10, 12, 13, 15	\$ 27,120.27
Elmbrook Corporate Services	16, 17	\$ 8,922.00
American Plumbing and Electrical Supply	21	\$ 41,956.00
Total Amount of Purchase		\$175,576.42

ITB No. 19-03/04 Bid Tabulation

		-												
			CROWN SUF	CROWN SANITARY SUPPLY	AMERICAN & ELECTRIC	AMERICAN PLUMBING & ELECTRICAL SUPPLY	ALL CLEAN PAPER & JANITOR SUPPLY	N PAPER & SUPPLY	QUALITY	QUALITY CHEMICAL COMPANY	PYRAMIC PRO	PYRAMID SCHOOL PRODUCTS	ELMB CORP SER\	ELMBROOK CORPORATE SERVICES
Line	Description	Q. Ż	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unite Price	Total \$
_	Trash Cans	50	22.46	1,123.00	26.85	1,342.50	26.83	1,341.50	q/u	q/u	22.98	1,149.00	q/u	q/u
7	Janitorial Carts	5	89.73	448.65	92.40	462.00	94.93	474.65	q/u	q/u	79.98	399.90	q/u	q/u
*	Bucket Wringer Combo	10	41.06	410.60	39.55	395.50	43.64	436.40	q/u	q/u	36.98	369.80	q/u	q/u
4	Garbage Gondolas	25	303.65	7,591.25	563.15	14,078.75	564.84	14,121.00	q/u	q/u	480.95	12.023.75	q/u	q/u
5A*	Two-piece Trash Receptacle	15	212.50	3,187.50	300.00	4,500.00	q/u	q/u	d/u	d/u	220.99	3.314.85	q/u	q/u
*8G	Waste Lid	25	42.50	1,062.50	q/u	q/u	q/u	q/u	q/u	q/u	44.65	1.116.25	q/u	q/u
5C*	Replacement Ash Trash Lids	5	116.50	1,165.00	q/u	q/u		q/u	q/u	q/u	121.99	1.219.90	q/u	q/u
*O3	Replacement Ash Tray for Trash Lids	24	34.00	816.00	q/u	q/u	q/L	q/u	q/u	q/u	35.70	856.80	d/u	q/u
9	40 gal Carpet Extractor	2	7,184.66	14,369.32	8,591.04	17,182.08	8,863.40	17.726.80	6,434.28	12.868.56	q/u	q/u	d/u	q/u
*L	12 gal Carpet Extractor	7	2,563.20	5,126.40	2,605.50	5,211.00	3,205.40	6,410.80	1,978.90	3,957.80	d/u	q/u	n/b	q/u
8	Wet Dry Vacuum	4	517.50	2,070.00	899.10	3,596.40	837.00	3,348.00	659.34	2,637.36	q/u	q/u	q/u	q/u
*ი	Squeeze Kit for Wet Dry Vacuum	9	179.21	1,075.26	q/u	q/u	436.00	2,616.00	q/u	q/u	q/u	q/u	d/u	q/u
5	Merit 20"	3	874.50	2,623.50	1,043	3,129.30	1,415.00	4,245.00	714,45	2,143.35	q/u	q/u	d/u	q/u
11*	Three Speed Blower	4	258.00	1,032.00	295.20	1,180.80	557.00	2,228.00	216.48	865.92	q/u	q/u	q/u	q/u
12	Merit 20"	2	1,065.00	2,130.00	1,228.50	2,457.00	1996.40	3,992.80	907.50	1,815.00	q/u	q/u	q/u	q/u
13	Vacuum	20	525.00	10,500.00	584.10	11,682.00	929.00	18,580.00	448.14	8,962.80	q/u	q/u	q/u	q/u
14*	Floor Matting	45	64.56	2,905.20	61.10	2,749.50	86.02	3,870.90	q/u	d/u	n/b	q/u	q/u	q/u
15	Vacuum	4	342.50	1,370.00	453.60	1,814.40	681.00	2,724.00	332.64	1,330.56	n/b	q/u	n/b	q/u
16	Electric Dryer	9	q/u	q/u	5,760.0	34,560.00	q/u	d/n	q/u	d/u	d/u	q/u	648.00	3,888.00
17	Electric Washer	9	q/u	d/u	8,640.00	51,840.00	q/u	q/u	q/u	q/u	q/u	q/u	839.00	5,034.00
18	Steam Press & Boiler	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u
19	Magnetic Road Sweeper	q/u	q/u	q/u	q/u	q/u	q/u	q/u	d/n	q/u	q/u	q/u	d/u	q/u
20A	33 gal. Waste Receptacle	06	245.96	22,136.40	274.50	24,705.00	q/u	q/u	d/u	q/u	q/u	d/n	q/u	q/u
20B	16 gal. Waste Receptacle – Gold	09	187.50	11,250.00	207.40	12,444.00	q/L	q/u	q/u	q/u	q/u	q/u	d/u	d/u
20C	16 gal Waste Receptacle – Silver	15	175.00	2,625.00	207.40	3,111.00	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u
20D	Waste Receptacle	09	265.08	15,904.80	274.50	16,470.00	q/u	q/u	q/u	q/u	q/u	q/u	q/u	d/u

ITB No. 19-03/04 Bid Tabulation

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			CROWN	CROWN SANITARY SUPPLY	AMER PLUME ELECTRICA	AMERICAN PLUMBING & ECTRICAL SUPPLY	ALL CLEAN PAPER & JANITOR SUPPLY	PAPER & SUPPLY	QUALITY CHEMICAL COMPANY	HEMICAL ANY	PYRAMID SCHOOL PRODUCTS	SCHOOL JCTS	ELME CORP SER'	ELMBROOK CORPORATE SERVICES
Line	Description	Qty.	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unite Price	Total \$
20E	19 gal. Waste Receptacle	25	304.40	7,610.00	q/u	q/u	q/u	q/u	q/u	q/u	q/u	g/u	q/u	q/u
20F	33 gal. Waste Receptacle	40	321,40	12,856.00	q/υ	q/u	d/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u
20G	33 gal. Waste Receptacle	16	321.40	5,142.40	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u
20H	16 gal. Waste Receptacle	9	232.15	1,392.90	qν	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u
201	19 gal. Waste Receptacle	5	304.40	3.044.00	q/2	q/u	q/u	q/u	q/u	q/u	d/u	q/u	q/u	q/u
21	48 gal. Waste Receptacle	40	40 1,074.68	42,987.20	1,048.90	41,956.00	q/u	q/u	q/u	q/u	q/u	q/u	q/u	q/u

* Items not awarded due to lack of funding.

CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



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LΟ	пa	en	se	20	HI	e	

Request for Approval to Purchase, Pursuant to Florida Department of Transportation Contract No. P0384, from Southern Sewer Equipment Sales, in the Amount of \$195,515.00, one (1) 2004 Vac-Con Sewer Cleaner Mounted on a 2004 Sterling LT7501 Truck.

Issue:

Shall the Commission Approve the Purchase?

Item Summary/Recommendation:

The 2004 Vac-Con Sewer Cleaner mounted on a 2004 Sterling LT7501 Truck chassis is a **budgeted replacement** for the Public Works Sewer Division and is funded by the Public Works Sewer Division Enterprise Fund. This vehicle is equipped with a positive displacement vacuum blower, dual engine, hydrostatic drive, 80GPM@300 PSI water pump with a 165 HP auxiliary engine and a lateral cleaning cart. This equipment will be mounted on a 2004 Sterling LT7501 tandem axle chassis with diesel engine and automatic transmission. This vehicle will be used for routine daily cleaning of the City's sanitary sewer system, mainlines, manholes and laterals.

The Administration recommends approving the purchase.

Advisory Bo	ard Recom	mendation:
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n/a

Financial Information:

Source of	1.1.2.2	Amount	Account	Approved
Funds:	1	\$195,515.00	425.0420.000673 PW Sewer Div. Enterprise Fund Capital Account	
\sim .	2			
Q	3 4			
Finance Dept.	Total	\$195,515.00		

City Clerk's Office Legislative Tracking:

Andrew Terpak

Sign-Offs:

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Department Director	Assistant City Mana	ger	City Manage	er
FB-Public Works	RCM	JMG	1	
AET-Fleet		7	100	_
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AGENDA ITEM <u>C2B</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



Date: April 14, 2004

COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

REQUEST FOR APPROVAL TO PURCHASE, PURSUANT TO FLORIDA DEPARTMENT OF TRANSPORTATION CONTRACT NO. P0384, FROM SOUTHERN SEWER EQUIPMENT SALES, IN THE AMOUNT OF \$195,515.00, ONE (1) 2004 VAC-CON SEWER CLEANER MOUNTED ON

A 2004 STERLING LT7501 TRUCK.

ADMINISTRATION RECOMMENDATION

Approve the purchase.

BID AMOUNT AND FUNDING

\$195.515.00

Public Works Sewer Division Enterprise Fund 425.0420.000673

Capital Account

ANALYSIS

This vehicle is recommended to be purchased pursuant to Florida Department of Transportation Contract No. P0384.

The 2004 Vac-Con Sewer Cleaner mounted on a 2004 Sterling LT7501 truck chassis is a budgeted replacement for the Sewer Division. This vehicle is funded by the Public Works Sewer Division Enterprise Fund.

This 2004 Vac-Con Sewer Cleaner is equipped with a positive displacement vacuum blower, dual engine, hydrostatic drive, 80GPM@3000 PSI water pump with a 165HP auxiliary engine and a lateral cleaning cart. This equipment will be mounted on a 2004 Sterling LT7501 tandem axle chassis with diesel engine and automatic transmission.

This truck-mounted sewer cleaner will be used for the routine daily cleaning of the City's sanitary sewer system, which includes manholes, mainlines and laterals.

The vehicle listed below has met or exceeded the established criteria for replacement:

Veh#	Dept.	Year	Make	Mileage	Life to Date Maintenance	Condition
0668	0420	1996	Vac-Con/Ford Chassis	36,880	\$54,853.17	Poor

The criteria are based on age, mileage, maintenance, engine hours (one engine hour idling = 35 miles), and overall condition of the vehicle. The life to date maintenance includes all costs associated with the vehicle, including, but not limited to, repairs, routine maintenance, accidents, and other damage.

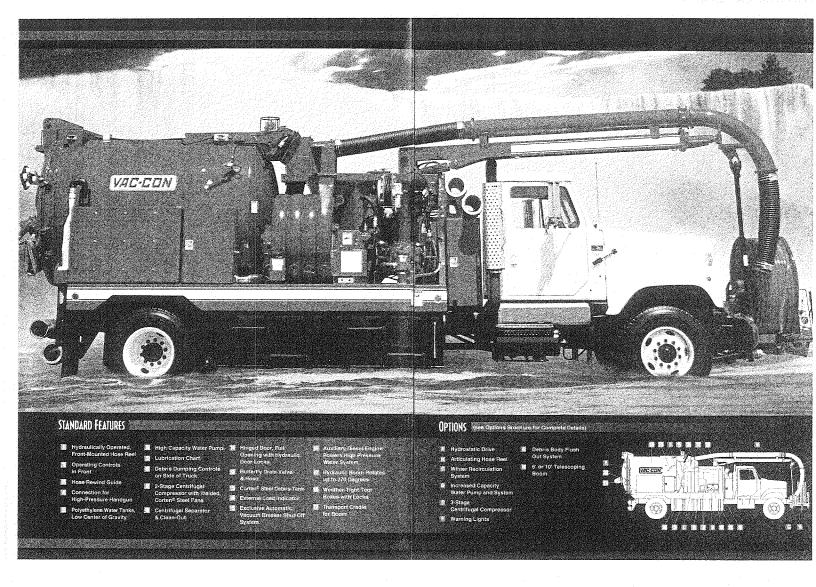
Vehicle 0668 is being used as a trade in toward the new vehicle:

Purchase Price \$235,515.00 Trade In Value (40,000.00)Net Cost of New Equipment \$195,515.00

CONCLUSION

The Administration recommends that the City Commission approve the purchase of one (1) 2004 Vac-Con Sewer Cleaner mounted on a 2004 Sterling LT7501 Truck, pursuant to Florida Department of Transportation Contract No. P0384, from Southern Sewer Equipment Sales, in the amount of \$195,515.00.

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

Request for Approval to Purchase, Pursuant to Florida State Contract No. 03-11-0825, from Duval Ford, in the Amount of \$115,237.00, Five (5) 2004 Ford F-150 4x2 Pick Up Trucks, One (1) 2004 Ford F-250 Utility Body Truck, and One (1) 2004 Ford F-250 4x4 Pick Up Truck with Fiberglass Topper.

Issue:

Shall the Commission Approve the Purchase?

Item Summary/Recommendation:

Three (3) 2004 Ford F-150 4x2 Pick Up Trucks and one (1) 2004 Ford F-250 Utility Body Truck are **budgeted replacements** and will be funded by the Public Works Water Division Enterprise Fund. The three (3) 2004 Ford F-150 trucks will be used by water meter technicians on a daily basis in field operations throughout the City and will be equipped with toolboxes. The 2004 Ford F-250 Utility Body truck will be used in light construction and maintenance of water meters will be equipped with a heavy duty tow package. Two (2) 2004 Ford F-150 4x2 trucks are **budgeted replacements** and will funded by the Fleet Management Replacement Fund. One truck will be used by a South Beach Service Team supervisor and one by a South Beach Service Team litter crew. The 2004 Ford F-250 4x4 Pick Up Truck is a **budgeted replacement** and will be funded by the Fleet Management Replacement Fund. This vehicle will be used by the Public Works Engineering Division city surveyors.

The Administration recommends approving the purchases.

Advisorv	Board	Recomme	ndation:
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n/a

Financial Information:

Source of		Amount	Account	Approved
Funds:	1	\$61,753.00	425.0410.000673 Public Works Water Div. Enterprise Fund Cap. Acct.	
\mathcal{M}	2	\$53,484.00	510.1780.000673 Fleet Management Replacement Fund	
46	3 4			
Finance Dept.	Total	\$115,237.00		

City Clerk's Office Legislative Tracking:

Andrew Terpak

Sian-Offs:

Oigh Ono.			
Department Directo	r	r City	Manager
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AGENDA ITEM <u>C2C</u>
DATE 4-14-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov

Members of the City Commission



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Date: April 14, 2004

From:

Jorge M. Gonzalez

City Manager

Subject:

REQUEST FOR APPROVAL TO PURCHASE, PURSUANT TO FLORIDA STATE CONTRACT NO. 03-11-0825, FROM DUVAL FORD, IN THE AMOUNT OF \$115,237.00, FIVE (5) 2004 FORD F-150 4X2 PICK UP TRUCKS, ONE (1) 2004 FORD F-250 UTILITY BODY TRUCK, AND ONE (1) 2004 FORD F-250 4X4 PICK UP TRUCK WITH FIBERGLASS TOPPER.

Public Works Water Division Enterprise Fund 425.0410.000673

ADMINISTRATION RECOMMENDATION

Approve the purchases.

BID AMOUNT AND FUNDING

\$61.753.00 Public Works Water D

Capital Account

\$53,484.00 Fleet Management Replacement Fund

510.1780.000673

ANALYSIS

All vehicles are recommended to be purchased pursuant to Florida State Contract No. 03-11-0825.

Three (3) 2004 Ford F-150 4x2 Pick Up Trucks and the 2004 Ford F-250 Utility Body Truck are budgeted replacements and will be funded by the Public Works Water Division Enterprise Fund. The three (3) 2004 Ford F-150 4x2 trucks will be used by Water Meter Technicians daily in field operations throughout the City and will be equipped with toolboxes. The 2004 Ford F-250 Utility Body Truck will be used in light construction and maintenance of water meters and will be equipped with a heavy duty tow package.

Two (2) 2004 Ford F-150 4x2 Pick Up Trucks are budgeted replacements and will be funded by the Fleet Management Replacement Fund. One truck will be used by a South Beach Service Team supervisor and one by a litter crew at locations throughout the City.

The 2004 Ford F-250 4x4 Pick Up Truck is a budgeted replacement and will be funded by the Fleet Management Replacement Fund. This vehicle will be used by the Public Works Engineering Division City surveyors and equipped with a fiberglass topper.

The vehicles listed below have met or exceeded the established criteria for replacement:

Replacement Vehicles

Veh#	Dept.	Year	Make/Model	Mi./Hours	Life to Date Maintenance	Condition
0711	0410	1997	Chevy S-10	51,715	\$ 9,879.59	Poor
0712	0410	1997	Chevy S-10	39,880	\$ 9,858.19	Poor
0714	0410	1997	Chevy S-10	40,698	\$12,703.76	Poor
0728-4	0410	1994	Ford F-250	78,688	\$ 8,449.77	Poor
0531-4	9962	1994	Ford F-150	53,587	\$ 6,931.99	Poor
0541-4	9962	1994	Ford F-150	40,922	\$ 6,903.91	Poor
0862	0815	1997	Chevy Astro	40,906	\$ 4,632.95	Poor

The criteria are based on age, mileage, maintenance, engine hours (one engine hour idling = 35 miles), and overall condition of the vehicle. The life to date maintenance includes all costs associated with the vehicle, including, but not limited to, repairs, routine maintenance, accidents and other damage.

The Administration recommends that the ity Commission approve the purchases pursuant to Florida State Contract No. 03-11-0825, of five (5) 2004 Ford F-150 4x2 Pick Up Trucks, one (1) 2004 Ford F-250 Utility Body Pick Truck, and one (1) 2004 Ford F-250 4x4 Pick Up Truck with fiberglass topper, from Duval Ford, in the amount of \$115,237.00.

JMG/RCM/FB/AET/mo
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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Con	ide	nse	ďΠ	Citl	Θ:

Request for Approval to Award contracts to Royal Rent-A-Car Systems of Florida (Primary) and to Acme Auto Leasing, LLC (Secondary) only in the event the primary vendor cannot meet its contractual obligations, pursuant to Invitation to Bid No. 23-03/04, for Vehicle Rental/Lease Services for the City of Miami Beach, in the estimated annual amount of \$193,466.

Issue:

Shall the City Commission approve the award of the contracts?

Item Summary/Recommendation:

This bid was re-issued with revised specifications by requesting bids for monthly rental rates for 2 different rates based on vehicle mileage; one for vehicles driven up to 18,000 miles, and one rate for vehicles driven up to 30,000 miles.

Currently the City is leasing 4 Mid Size Sedans, 4 Full Size cars, 2 Mini Passenger Vans, 5 Pick-up Trucks, and 8 Utility Vehicles, however The Police Department reserves the right to change and choose the type of vehicle most suited for their line of work. Bid Special Condition 2.3 entitled "Method of Award" states that the City reserves the right to award multiple contracts and/or awards to a primary and secondary vendor.

By revising the specifications and comparing the new bids to the previous/rejected bids received, the City will realize an estimated savings of \$128,000,(\$32,000 annually for four years). The estimated annual contract amount of \$193,466 represents an annual increase of \$14,000, or approximately a 7% increase to the current contract, which was awarded under a firm-fixed price since 1999.

Based on the bids received, the Administration request approval that contracts be awarded to Royal Rent-A-Car Systems of Florida (Primary) and to Acme Auto Leasing, LLC, (Secondary) only in the event the primary vendor cannot meet its contractual obligations, pursuant to Invitation to Bid No. 23-03/04, for the vehicle rental/lease services for the City of Miami Beach in the estimated annual amount of \$193,466.

Advisorv	Board	Recommen	dation:
		11000111111011	~~!!

Financial Information:

Funds:	
Finance Dept.	

Source of

	Amount	Account	Approved
1	\$193,466	011.1140.000323	7
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Gus Lopez x6641

Sian-Offs:

Depa	rtment Director	Assistant City Manager	City Manager
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1			

AGENDA ITEM <u>C 2D</u>

DATE <u>Y-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From:

Jorge M. Gonzalez

City Manager

Subject:

REQUEST FOR APPROVAL TO AWARD CONTRACTS TO ROYAL RENT-A-CAR SYSTEMS OF FLORIDA, (PRIMARY) AND TO ACME AUTO LEASING, LLC, (SECONDARY) ONLY IN THE EVENT THE PRIMARY VENDOR CANNOT MEET IT'S CONTRACTURAL OBLIGATIONS, PURSUANT TO INVITATION TO BID NO. 23-03/04, FOR VEHICLE RENTAL/LEASE SERVICES FOR THE CITY OF MIAMI BEACH, IN THE

ESTIMATED ANNUAL AMOUNT OF \$193,466.

ADMINISTRATION RECOMMENDATION

Approve the Award

FUNDING

\$193,466.

Funding is available from the Police Department Account Number:

Account No. 011-1140-000323

ANALYSIS

The purpose of Bid No. 23-03/04 ("the Bid") was to establish a contract, by means of competitive sealed bids, to a qualified vendor(s) for vehicle rental/lease services of approximately twenty-five (25) rental vehicles per month for the City of Miami Beach Police Department.

The Bid was re-issued after the previous bids were rejected on the February 25, 2004 Agenda. The new Bid was issued with revised specifications on March 4, 2004, with an opening date of March 19, 2004. The specifications were revised as follows:

- 1) Bids were requested for vehicles driven up to 18,000 miles, and up to 30,000 miles.
- 2) Method of award was revised, giving the City the option to award to multiple vendors and/or to a primary and secondary vendor.

A Pre-Bid Conference was held on March 15, 2004, to discuss and clarify the City's insurance requirements, as it relates to the City's Self-Insurance Fund which is subject to the limits and provisions of Florida Statue 768.28. BidNet issued bid notices to five (5) prospective bidders, resulting in three (3) vendors requesting bid packages, which resulted in the receipt of three responsive bids.

ANALYSIS

Currently the City is leasing 4 Mid Size Sedans, 4 Full Size cars, 2 Mini Passenger Vans, 5 Pick-up Trucks, and 8 Utility Vehicles, however the City's Police Department reserves the right to change and choose the type of vehicle most suited for their line of work.

By revising the specifications and comparing the new bids to the previous/rejected bids received, the City will realize an **estimated savings of \$128,000 (\$32,000 annually for four years)**. The estimated annual contract amount of \$193,466 represents an annual increase of \$14,000, or approximately a **7% increase to the current contract**, which was awarded under a firm-fixed price since 1999.

The vehicles will be late models with low mileage, neat and clean in appearance, and in good operating condition, complete with air conditioning, automatic transmission, radio, power brakes and power steering. There will be no mileage charges, or rental charges of any nature except for refueling charges allowed on any rental. The selection of vehicles is classified into groups with various monthly bid prices. From these groups, the City may choose the vehicle most suited for their line of work.

The contract will be in effect upon execution of the contract for two (2) years. Providing the successful bidders will agree to maintain the same price, terms and conditions of the current contract, this contract could be extended for an additional two (2) years, on a year to year basis, if mutually agreed upon by both parties.

INSURANCE

The City of Miami Beach shall assume responsibility for the auto liability and physical damage through its self insurance program up to the limits provided for in Florida State Statutes 768.28. Any claims for physical damage to rental vehicles must be submitted in writing to the City of Miami Beach Risk Manager within thirty (30) calendar days from the return date of the vehicle(s).

The City of Miami Beach shall not be responsible for any claims submitted after the required thirty (30) calendar days. Additionally, the City of Miami Beach will not be held liable for normal wear and tear of the vehicles(s) rented under this bid.

A replacement vehicle shall be provided within the shortest time possible, not to exceed one (1) hour upon notification. When a replacement vehicle is not available within one hour, an upgrade vehicle will be supplied at no additional charge to the City. Vendor shall provide a required maintenance schedule for each vehicle within 24 hours upon delivery. The vehicle shall be completely serviced and ready for operation.

MODIFICATION OF VEHICLES:

The City may, at its own expense have the windows of any rented vehicles tinted. No charge will be levied on the City for the removal of such tinting at any time. The City may at its own expense install any electronics equipment it may deem necessary, providing said installations shall cause no permanent damage to the vehicle(s).

ACKNOWLEDGEMENT OF ORDER:

Vendor shall submit written procedures to the City of Miami Beach Police Department's designated representative(s) and the Procurement Division regarding the pick-up and return of the vehicle(s), within fifteen (15) calendar days after the Notice of Award.

ACCEPTANCE:

The vehicles shall be maintained and delivered to the city in excellent condition. If a vehicle does not meet the conditions as set forth in the bid documents, the vehicle shall be returned to the successful bidder in exchange for a suitable vehicle.

MILEAGE LIMITATIONS:

There will be no mileage charges added to this contract. Any vehicle approaching the maximum mileage limitation will be returned and a replacement vehicle shall be issued. The City is requesting **two (2)** different rental rates; one for vehicles driven **up to 18,000 miles**, and one rental rate for vehicles driven **up to 30,000 miles**.

VEHICLE USE:

The vehicles rented under this contract are intended for undercover investigation and surveillance. It is, however understood that a situation may occur outside the control of either the City of Miami Beach or the successful bidder which may require emergency use of the vehicle. The vendor, knowing the nature of the use of these vehicles, shall be fully aware of the requirement for confidentiality, and shall do everything in its power to ensure compliance.

MAINTENANCE:

The vendor will provide all maintenance and services to keep said vehicle(s) in a safe and first class operating condition during the course of the rental. The contractor shall stipulate in writing (at the beginning of the rental period) the time periods or mileage intervals the vehicles are due for preventive maintenance should the length of the requested rental indicate same may be required during the rental period.

The bidder shall state the days of the week and business hours that such maintenance and/or replacement services are available and shall state the name, location and business hours of such locations other than the vendor's premises where such services are available.

REPLACEMENTS:

When a vehicle is out of services due to mechanical breakdown, repairs, accident, preventive maintenance, or any other reason that is not due to any fault or negligence of the City, the vendor shall furnish a replacement within one hour at no additional charge. Replacements with down-graded size or models will require a reduced rate adjustment to the bid rate of the replacement vehicle. Replacements with an up-graded site or model when not made at the specific request of the City will be made with no additional charges.

The vendor shall provide upon request, a replacement vehicle once a vehicle has been exposed of undercover status. These vehicles are referred to as "burned" or "hot" and can no longer be utilized effectively.

Should the City need to turn in a vehicle for any reason before the complete rental month, The vendor shall invoice on a pro-rated basis. The pro-rated basis will be determined by the monthly contract/bid rate.

BID TABULATION:

VEHICLES DRIVEN UP TO 18,000 MILES

Item#	DESCRIPTION	QTY	ACME AUTO LEASING LLC	ENTERPRISE RENT-A-CAR	ROYAL RENT-A-CAR SYSTEMS OF FLORIDA
1A	MIDSIZE SEDAN	4	No Bid	\$649.00/ month	\$618.00/month
			No Bid	\$31,152.00/year	\$29,664.00/yr.
2A	FULL-SIZE CAR	4	No Bid	\$699.00/month	\$636.00/month
		·	No Bid	\$33,552.00/year	\$30,528.00/yr.
3A	FULL-SIZE LUXURY CAR	1	No Bid	\$899.00/month	\$948.00/month
		:	No Bid	\$10,788.00/year *	\$11,376.00/year.
4A	MINI PASSENGER VANS	2	No Bid	\$747.00/month	\$636.00/month
	VAIVO	2	No Bid	\$17,928.00/yr.	\$15,264.00/year
5A	PICK-UP TRUCKS	5	No Bid	\$747.00/month	\$636.00/month
			No Bid	\$44,820.00/year	\$38,160.00/year
6A	UTILITYVEHICLES	8	No Bid	\$747.00/month	\$636.00/month
			No Bid	\$71,712.00/year	\$61,056.00/year
7A	MINI-CARGO VANS	1	No Bid	\$629.00/month	\$618.00/month
			No Bid	\$7,548.00/year	\$7,418.00/year
	GRAND TOTAL		No Bid	\$217,500.00	\$193,466.00

^{*} Even though Enterprise Rent-A-Car submitted the lowest bid for Item #3 A/B, they decided not to enter into a contract/agreement, based on the following:

^{*} Their monthly bid price of \$899 per month was contingent upon receiving either a majority or the entire contract.

BID TABULATION:

VEHICLES DRIVEN UP TO 30,000 MILES

Item #	DESCRIPTION	QTY	ACME AUTO LEASING, LLC	ENTERPRISE RENT-A-CAR	ROYAL RENT-A-CAR SYSTEMS OF FLORIDA
1B	MIDSIZE SEDAN	4	\$558.00/month \$26,784.00/year	\$649.00/month \$31,152.00/year	\$618.00/month \$29,684.00/year
2B	FULL-SIZE CAR	4	\$668.00/month \$32,064.00/year	\$699.00/month \$33,552.00/year	\$636.00/month \$30,528.00/year
3B	FULL-SIZE LUXURY CAR	1	\$1,050.00/month \$12,600.00/year	\$ <u>899.00/month</u> \$10,788.00/year *	\$948.00/month \$11,376.00/year
4B	MINI PASSENGER VANS	2	\$658.00/month \$15,792.00/year	\$747.00/month \$17,928.00/year	\$636.00/month \$15,264.00/year
5B	PICK – UP TRUCKS	5	\$685.00/month \$41,100.00/year	\$747.00/month \$44,820.00/year	\$ <u>636.00/month</u> \$38,160.00/year
6B	UTILITY VEHICLES	8	\$678.00/month \$65,088.00/year	\$ <u>747.00/month</u> \$71,712.00/year	\$636.00/month \$61,056.00/year
7B	MINI-CARGO VANS	1	\$680.00/month \$8,160.00/year	\$629.00/month \$7,548.00/year	\$618.00/month \$7,416.00/Year
	GRAND TOTAL		<u>\$201,588.00</u>	\$217,500.00	\$193,466.00

^{**} Even though Acme Auto Leasing submitted the lowest bid for Item #1 B, the \$3,000 a year savings is more than offset with the additional cost the City will realize associated with the logistics of the pick up and delivery of different type vehicles between two (2) different vendors.

- * Even though Enterprise Rent-A-Car submitted the lowest bid for Item #3 A/B, they decided not to enter into a contract/agreement, based on the following:
- * Their monthly bid price of \$899 per month was contingent upon receiving either a majority or the entire contract.

BID TABULATION:

REJECTED BID RECEIVED FROM ROYAL RENT-A-CAR

1B	MIDSIZE SEDAN	4	\$747.00/month \$35,856/yr
2B	FULL-SIZE CAR	4	\$807.00/month \$38,736/yr
3B	FULL-SIZE LUXURY CAR	1	\$867.00/month \$10,404/yr
4B	MINI PASSENGER VANS	2	\$747.00/month \$17,928/yr
5B	PICK – UP TRUCKS	5	\$747.00/month \$44,820/yr
6B	UTILITY VEHICLES	8	\$747.00/month \$71,712/yr
7B	MINI-CARGO VANS	1	\$480.00/month \$5,760/yr
	GRAND TOTAL		\$225,216/yr

CONCLUSION:

Based on the bids received, the Administration request approval that contracts be awarded to Royal Rent-A-Car Systems of Florida (Primary) and to Acme Auto Leasing, LLC, (Secondary) only in the event the primary vendor cannot meet it's contractual obligations, pursuant to Invitation to Bid No. 23-03/04, for the vehicle rental/lease services for the City of Miami Beach in the estimated annual amount of \$193,466.

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



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Request for Approval to Award a Contract to Master Mechanical Service, Inc. Pursuant to Invitation to Bid No. 6-03/04, for the Carl Fisher Club House HVAC Renovations in the Amount of \$44,875.

Issue:

Shall the City Commission Approve the Award of Contract to Master Mechanical Inc?

Item Summary/Recommendation:

The work specified in the Bid consists of furnishing all labor, machinery, tools, means of transportation, supplies, equipment, materials, and services necessary for the HVAC (Heating, Ventilating, Air Conditioning) renovations at the Carl Fisher Club House.

Contractor shall remove five (5) existing air conditioning units located on the roof. All existing support steel shall be replaced. Contractor shall furnish and install five (5) new air conditioning units, support steel, duct work, controls, electrical, plumbing, crane, duct smoke detectors, engineering drawings and be licensed to pull all permits necessary to successfully complete the work.

The lowest and best bid was received from Master Mechanical Service, Inc. This contractor has been in business for 20 years as a specialty mechanical contractor (AC).

APPROVE THE AWARD

Advisory Board Recommendation	วท	:
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Financial Information:

Source of		Amount	Account	Approved
Funds:	1	\$ 44,875.00	Property Management Account 520.1720.000674	
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Finarice Dept.	Total	\$ 44,875.00		

City Clerk's Office Legislative Tracking:

Gus Lopez, Ext. 6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FB	RCM	JMG Jung

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Date: April 14, 2004

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

REQUEST FOR APPROVAL TO AWARD A CONTRACT TO MASTER

MECHANICAL SERVICE, INC. PURSUANT TO INVITATION TO BID NO. 6-03/04, FOR THE CARL FISHER CLUB HOUSE HVAC RENOVATIONS IN

THE AMOUNT OF \$44,875.

ADMINISTRATION RECOMMENDATION:

Approve the Award.

BID AMOUNT AND FUNDING:

\$44,875 Funds are available from Property Management Account 520.1720.000674

ANALYSIS:

Invitation to Bid No. 06-03/04 (the "Bid") was issued on February 4, 2004, with an opening date of March 11, 2004. BidNet issued bid notices to 22 prospective bidders. Additionally, the Procurement Division sent the bid announcement to the Blue Book online bidding system "B-Bid", and four other construction related websites, thus inviting at least another 78 prospective bidders. The notices resulted in the receipt of five (5) bids.

The work specified in the Bid consists of furnishing all labor, machinery, tools, means of transportation, supplies, equipment, materials, and services necessary for the HVAC (Heating, Ventilating, Air Conditioning) renovations at the Carl Fisher Club House. The Bid was issued with an Add Alternate for the additional cost of replacing all existing electrical disconnects with stainless steel electrical disconnects.

Contractor shall remove five (5) existing air conditioning units located on the roof. All existing support steel shall be replaced. Contractor shall furnish and install five (5) new air conditioning units, support steel, duct work, controls, electrical, plumbing, crane, duct smoke detectors, engineering drawings and be licensed to pull all permits necessary to successfully complete the work.

The lowest and best bid was received from Master Mechanical Service, Inc. This contractor has been in business for 20 years as a specialty mechanical contractor (AC). The Procurement Division obtained favorable references from the following agencies:

Commission Memo April 14, 2004 ITB No. 06-03/04 Page 2

- Hialeah Housing Authority
- Keystone Property Management, Inc.
- Estefan Enterprises
- Pacific Time Restaurant
- Groden Stamp Construction Inc.
- Chiquita Fresh N.A.

The Contractor will procure Performance and Payment Bonds, each in the amount of 100% of the contract price. This project shall be substantially completed with **fifteen (15)** calendar days from the <u>issuance</u> of the <u>second</u> Notice to Proceed and completed and ready for final payment within **seven (7)** calendar days from the date certified by the Project Manager as date of Substantial Completion.

The City Commission rejected the sole bid received in the amount of \$72,487 as a result of a previous bid process at its December 11, 2002 meeting because it exceeded the allocated budget (\$35,000). Re-issuance of this bid resulted in \$27,612 savings to the City.

RECOMMENDATION

Based on the analysis of the bids received, it is recommended that the City award the contract for the base bid only to the lowest and best bidder, **MASTER MECHANICAL SERVICE, INC.**

BID TABULATION

VENDOR NAME	BASE BID	ADD ALTERNATE
Master Mechanical Service Inc.	\$ 44,875	\$ 2,480
Thermal Concepts, Inc.	\$ 48,300	\$ 3,000
Hill York Service	\$ 53,050	\$ 2,500
Thermo Air, Inc.	\$ 74,330	\$ 2,890
City Air, Inc.	\$ 84,100	\$ 10,000

CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Cor	nde	nsed	Title

Request For Approval to Award a Contract to Central Concrete Supermix Inc., Pursuant to Invitation to Bid No. 01-03/04, for the Purchase and Delivery of Bulk Concrete Mix in the Estimated Annual Amount Of \$131,000.

Issue:

Shall the City Commission Award A Contract to Central Concrete Supermix Inc.?

Item Summary/Recommendation:

The purpose of Bid No. 01-03/04 (the "Bid") is to establish a contract, by means of sealed bids to a qualified contractor purchase and delivery of bulk concrete mix. The Street and Light Division of Public Works will use this concrete mix for the sidewalks located throughout the City of Miami Beach.

The Bid requires bidders to be within approximately 15 miles radius of the City of Miami Beach. This is to allow sufficient travel and work time before the material becomes unusable.

The Bid also require bidder's plant to regularly stock the coloring additive "Miami Beach Red" as supplied by the following manufactures LAMBERT, QC COLOR or SCHOFIED.

APPROVE THE AWARD OF CONTRACT.

Advisory Board Recommen	ıdation:
-------------------------	----------

N/A

Financial Information:

Source of	Amount	Account	Approved
Funds:	1 \$106,000.00	Gas Tax 011.9407.000.342	Apploxed
$\bigcap I$	2 \$25,000.00	Streets 011.0840.000.342	
	3		
Finance Dept.	# # # # # # # # # # # # # # # # # # #		
гіпапсе Берт.	Total \$131,000.00		

City Clerk's Office Legislative Tracking:

Gus Lopez, Ext.6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FB:	RCM	JMG:

T:\AGENDA\2004\Apr1404\Consent\ITB01-03-04SummaryBulkConcreteMix.doc

Agenda Item <u>C2F</u>
Date <u>4-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From

Jorge M. Gonzalez

City Manager

Subject: REQUEST FOR APPROVAL TO AWARD A CONTRACT TO CENTRAL

CONCRETE SUPERMIX INC., PURSUANT TO INVITATION TO BID NO. 01-03/04 FOR THE PURCHASE AND DELIVERY OF BULK CONCRETE MIX IN

THE ESTIMATED ANNUAL AMOUNT OF \$131,000.

ADMINISTRATION RECOMMENDATION

Approve the Award.

FUNDING

\$106,000

Funding is available from the Public Works Department Gas Tax

Account No. 011.9407.000.342 and

\$25,000

Public Works Streets Account No.011.0840.000,342

ANALYSIS

The purpose of Bid No. 01-03/04 (the "Bid") is to establish a contract, by means of sealed bids to a qualified contractor purchase and delivery of bulk concrete mix. The Street and Light Division of Public Works, will use this concrete mix for the sidewalks located throughout the City of Miami Beach.

The Bid was issued on October 27, 2003, with an opening date of to December 4, 2003. BidNet issued ten (10) notices to prospective bidders, and the Procurement Division issued twelve (12) additional notices, resulting in the receipt of one bid.

The Bid requires bidders to be within approximately 15 miles radius of the City of Miami Beach. This is to allow sufficient travel and work time before the material becomes unusable.

The Bid also require bidder's plant to regularly stock the coloring additive "Miami Beach Red" as supplied by the following manufactures LAMBERT, QC COLOR or SCHOFIED.

The Administration explored the possibility of using Miami-Dade County's Contract, but since 80% of the concrete used by the City has "Miami Beach Red" coloring, and the County Contract does not provide for the Miami Beach Red coloring, it was decided that the County Contract would not meet the City's needs.

Commission Memo Bulk Concrete Mix ITB 01-03/04 Page 2 of 7

The Procurement Division contacted other prospective vendors to determine why they elected not to Bid, and the reasons given are as follows:

- Rinker Concrete stated that their administrator did not have enough time to review the Bid.
- Rio's Concrete stated that the person in charge was out of town.
- Florida Rock & Sand Co. and South Florida Concrete & Ready Mix, Inc stated that their company's plant was not within 15 miles radius.
- Continental Concrete stated that they are engage in other work, and unable to take part in the bid at this time.

Attached is the tabulated price sheet. Pursuant to Section 2-367(c) of the City Code, the Administration negotiated a price decrease through December 31, 2004. (see Attachment No.1).

The term of their contract will be in effect upon execution of the contract until **June 30, 2005**. However, due to a short supply of raw materials used in manufacturing concrete, Central Concrete Supermix, the recommended bidder, will only honor their prices firm through December 31, 2004. The Administration will negotiate a price increase or decrease based on market conditions for the period commencing January 1 through June 30, 2005.

The Procurement Division verified that cement is in fact a volatile commodity as a result of significant increases in demand combined with less available cement in the world. See attached letters from the two major suppliers of cement to in the state of Florida: 1) Florida Rock Industries; and 2) Cemex.

Providing that negotiations with Central Concrete Supermix are successful relative to a fair and reasonable price based on market conditions, and Central agreeing to the same terms and conditions of the awarded contract, the contract may be extended for an additional three (3) years, on a year to year basis, if mutually agreed upon by both parties.

To determine if the City was receiving a fair and reasonable price, the Procurement Division conducted a benchmark analysis to include pricing from another suppliers (see Attachment No.2) and pricing from Miami-Dade County for their Ready Mixed Contract (Bid No. 6099-3/09 see Attachment No.3).

The Procurement Division contacted the references submitted by the bidder to find out what they have been charged by Central Concrete Supermix Inc. and received the following information:

<u>Vendor</u>	<u>Est. Qty</u>	<u>Unit Cost</u>	Material bought mostly
John Moriarty & Associates	300CY	\$50.00	3000PSI regular
Miller & Solomon	25,000CY	\$58.00	4000PSI regular
E&F Builders	600CY	\$65.00	3000PSI regular

Commission Memo Bulk Concrete Mix ITB 01-03/04 Page 3 of 7

CONCLUSION

The Administration recommends that the contract be awarded to Central Concrete Supermix Inc, pursuant to Invitation to Bid No. 01-03/04 for the purchase and delivery of Bulk Concrete in the estimated annual amount of \$131,000.

Commission Memo for Bulk Concrete Mix ITB 01-03/04 Page 4 of 7

Attachment No.1 PURCHASE AND DELIVERY OF BULK CONCRETE MIX BID # 01-03/04 TABULATION SHEET

### ##################################	### ### ##############################	PSI 3500 PSI 4000 PSI Addition of "Milami Excavatable fill admixture A000 PSI Addition of "Milami Excavatable fill admixture A000 PSI A000 PSI Beach Red" Color flowable fill admixture A000 PSI A000 PSI	\$2120.00 \$1 \$1 \$2120.00 \$2200 \$2200 \$2200	\$500 PSI regular 1000CY \$51,000.0 0 CRETE SU \$49.00 \$49,000.0	300c 300c regu 50 \$246 \$237	\$44.50 \$44.50 \$ \$45.50 \$ \$ \$2225.0 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	MATERIALS ESTIMATED ANNUAL QTY UNIT COST TOTAL COST TOTAL (Negotiated) TOTAL COST (Negotiated) GRAND
		\$130 950	5				GRAND
							GRAND
				>		>	(המשפהותום)
				0		0	(Negotiated)
\$300.0	\$3920.00	\$71,000.00	\$2080.00	\$49,000.0	\$2375.	\$2275.0	TOTAL COST
							(Negotiated)
\$6.00	\$49.00	\$71.00	\$52.00	\$49.00	\$47.00	\$45.50	UNIT COST
	REDUCTION	GOTIATED PRICE	PERMIX NE	CRETE SU	CON		
		33,015	\$1				TOTAL
							GRAND
				0		0	
\$300.0	\$3920.00	\$71,000.00	\$2120.00	\$51,000.0	\$2450.	\$2225.0	TOTAL COST
\$6.00	\$49.00	\$71.00	\$53.00	\$51.00	\$49.00	\$44.50	UNIT COST
							ANNUAL QTY
50CY	80CY	1000CY	40CY	1000CY	50CY	50CY	ESTIMATED
nt T		admixture				regular	
reinforce	flowable fill	Beach Red" Color	regular	regular	regular	PSI	
2	Excavatable	Addition of "Miami	4000 PSI	3500 PSI	3000 PSI	2500	MAIERIALS

Attachment No.2

	MATERIALS* Milami Region Office	Pag	1/2/20
Customer	City of Miami Beach	Phone	
Information	Attention: Adeoja Osoba	Fax	
Project	Miami Beach Congrese	1 87	<u> </u>
Information	Miami Beach, Fl	***	
Rinker	Jim Ryder	Office:	305-871-3871
Account Manager	r 1600 North Miami Ave. Miami, Fl. 33136	Cel:	
Actual	<u> </u>		
	3000 PSI Regular Concrete	O(O)M	21/E0
*****	3500 PSI Regular Concrete	L CY	\$54.00
**	4000 PSI Regular Concrete	- CY	\$57.00
	Excavatable Flowable Fill	- č /-	\$60.00 \$53.00
	Fibers	Cy	\$7.00
	Miami Beach Red for 3000 PSI(this is plus the concrete)	- cy	\$85.00
	Deduct \$6.00 per yd for concrete picked up at Rinker's piant.		
	Pump Primer	CY	**************************************
	Additional items Add for Pearock Mix		\$250,00
	Add for #67 rack	CY	\$4,00
	Add for Sidewinder Pump / Blend Mix	GY	\$4.00
	IAOC for Pearock Puma Mix	CY	\$4.00
	Add for DCI-S Corregion Inhilks and Contract	CY	\$9.00
	Add for Superplastisizer per 1000 psi	CY	\$25.00
*************	Service Charges	MPSI	\$1,50
	Adjustable Fuel Surchama		
	Environmental Load Citatria	Load	varies
***************************************	Waste Concrete Disposari E.	Load	\$6,00
	Minimum Load Charge Less than 5 CYDS	Toad I	\$6.00 \$125.00
Normal Ho	Saturday A.M. Service 4 Hour Minimum urs Of Operation (M-F 7:a.m -6:p.m.) For Off Hours Please Ca	Hour	\$200.00
1/22/2004 Escalator	Effective Date Expire	Itlon Date	7/11/2/00/2
200	Effective 5/30/2004 Concrete Prices Escalate	\$4.00 C	(I)
	Signature Quote Is Not Valid Without Signature	•	
ide	Prices subject to change due to manufacturer's increase his quotation must be accepted in WRITING within 30 days of issu- ½ discount if payment received before 16th of month following pure		

Commission Memo Bulk Concrete Mix ITB 01-03/04 Page 5 of 6

Attachment No.3

Tally Sheet for Bid # 6099-3/08 Opened 2/25/2004 Date Prepared: 2/27/2004 Prepared By: Laure Gonzalez

variotista innova anna siin				1	:		
tems	Description	Bidder				DPM	Contrata di Co
***************************************		Central Conc	N 15 10 10 10 10 10 10 10 10 10 10 10 10 10	} }:		Negotiat	ed Prices
		Supermix, In	C.	k: 7	in a la maria de la composición del composición de la composición		
		North Zone		South	CONTRACTOR	é no de contrata de la contrata del contrata de la contrata del contrata de la contrata del la contrata de la contrata del la contrata de la	South Zone
	2000PSI Course	<u> \$</u>	43.50	\$	43.50	<u> </u>	42.50
2	2500PSI Course	8	45.50	\$	45.50	\$	44,50
3	3000PSI Course	\$	47.50	\$	47.50	\$	46.50
4	3500PSI Course	\$	49,00	\$	49.00	\$	48.00
5	3750PSI Course	<u>.</u> \$	50.00	S	50.00	\$	49.00
6	4000PSI Course	\$	52.00	\$	52.00	\$	51,00
7	4500PSI Course	\$	54,00	S	54,00	\$	53.00
8	5000PSI Course	\$	56,00	\$	56.00	S	55.00
9	2000PSI Pearock	3	48.50	\$	48.50	\$	47.50
10	2500PSI Pearock	\$	50.50	\$	50,50	\$	49,50
11	3000PSI Pearock	\$	52,50	\$.	52.50	\$	51,50
12	3500PSI Pearock	\$	54.00	\$	54,00	\$	53.00
13	3750PSI Pearock	\$	55,00	\$	55.00	\$	54.00
14	4000PSI Pearock	\$	57.00	\$	57.00	\$	56.00
15	4500PSI Pearock	\$	59.00	\$	59.00	\$	58.00
16	5000PSI Pearock	\$	61.00	\$	61.00	Ş	60.00
17	3000PSI LI Concrete	\$	110.00	\$	110,00	\$	109.00
18	3500PSI Lt Concrete	\$	112,00	\$	112.00	\$	111.00
19	4000PSI Lt Concrete	\$	114,00	:\$	114.00	\$	113.00
20	4000 PSI Tremie Mix	\$	64.00	\$	64.00	\$	63.00
Option A	Retardant Admixture	\$	1,50	\$	1.50	\$	1.50
Option B	High Early Admixture	\$-	2,75	\$	2.75	\$	2.75
	·		*****************	<u> </u>			

Commission Memo Bulk Concrete Mix ITB 01-03/04 Page 6 of 6

Attachment No.4

Osoba, Adeola

From: Gonzalez, Laura (DPM) [LAGONZ@miamidade.gov]

Sent: Thursday, March 18, 2004 10:28 AM

To: Osoba, Adeola

Cc: Clerk of the Board (COC)

Subject: Ready Mixed contract bid 6099-3/09

Adeola,

See attached the negotiated prices for ready mixed concrete. This is FOB Origin, not Destination.

Laura Gonzalez Sr. Procurement Agent Bids & Contract Division 111 NW 1st Street, Suite 1300

Miami, Fiorida 33128 Ph: 305-375-3904 Fax: 305-375-4407

Email: lagonz@miamidade.gov



March 31, 2004

Dear Customer:

I hope that 2004 is starting off well for your business. I felt that it was important to bring to your attention recent phenomena that we believe will have significant impact on cement supply and pricing. The US economy is growing and there are other economies that are growing substantially faster (such as China which is predicted to consume approximately 45 percent of total world cement demand in 2004). As a result, there is significantly less available cement in the world. Due to this pressure on supply and huge increases in the world shipping market, imported cement costs have increased substantially this year. Additionally, stronger than expected demand in the fourth quarter 2003 and the first quarter of this year has inventories at extremely low seasonal levels constricting domestic supply as well. Cemex is currently implementing strategy to help supply your needs in 2004. However, this comes at a much higher cost to our company. These costs are in addition to escalating operating costs due mainly to increases in energy and insurance.

We believe that all of these factors will continue for the near future and expect that more cement price increases will be implemented this year. Your local Cemex sales professional will contact you soon with more information. We will continue to give you as much notice as possible so that you can adjust accordingly. We appreciate your business and look forward to serving you during these dynamic times.

Sincerely,

R. Frank Craddock, Jr.

Executive Vice President, Sales



April 2, 2004

JULY 1, 2004 PRICE ANNOUNCEMENT CONFIRMATION

To our Customers:

On March 8, 2004 we mailed a price increase announcement to you which will become effective on July 1, 2004. It was our intention to give you as much notification as possible for your future planning. If for some reason you did not receive our price announcement, please contact your Florida Rock Cement representative or call our office.

We feel information which will explain market conditions is in order. This letter will provide specifics which are well known within the construction industry that are causing major cost increases to importers and suppliers of construction materials. In our state of Florida we have been consuming approximately 9,200,000 tons of cementitious products each year for the past three years. Currently our state produces 5,000,000 to 5,300,000 tons, which leaves a short fall of 4,000,000 tons. The majority of the 4,000,000 tons is imported from various off shore sources and involves the use of ocean going bulk carriers which are currently in short supply. Demand for these carriers has driven freight costs to unprecedented levels with increases of \$15.00 and higher per ton. There appears to be no relief in the immediate future. Importers of steel, lumber, aggregate, coal, gypsum, oil and cement are in "uncharted waters" and must take action to continue in business. We found this website link which provides information on the status of world shipping demands. If you are so inclined you may log on to this site for more information:

http://washingtontimes.com/upi-breaking/20040308-060306-4921r.htm

March 9, 2004 article - The Washington Times

Understanding the changing markets and planning your future strategy will produce positive results in a volatile situation. We want you to continue to be successful as our success depends on you.

We at Florida Rock Industries, Inc. - Cement Group appreciate your business and look forward to a long continuation of our business relations.

Florida Rock Industries, Inc. - CEMENT GROUP



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CITY OF MIAMPBEACH: 37 OFFICE OF THE MAYOR & COMMISSION

MEMORANDUM

TO:

JORGE M. GONZALEZ

CITY MANAGER

JORGE GOMEZ

PLANNING DIRECTOR

FROM:

JOSE SMITH

COMMISSIONER

DATE:

March 31, 2004

RE:

MINIMUM UNIT SIZE/ REFERAL TO PLANNING BOARD

I am troubled by developers' current practice of selling tiny hotel rooms (300 sq. ft.) as "cabanas" and "condo units". As prices for larger units increase dramatically, the trend is to sell smaller and smaller units. Please see attached. The result is increased density, traffic congestion and less parking in surrounding areas.

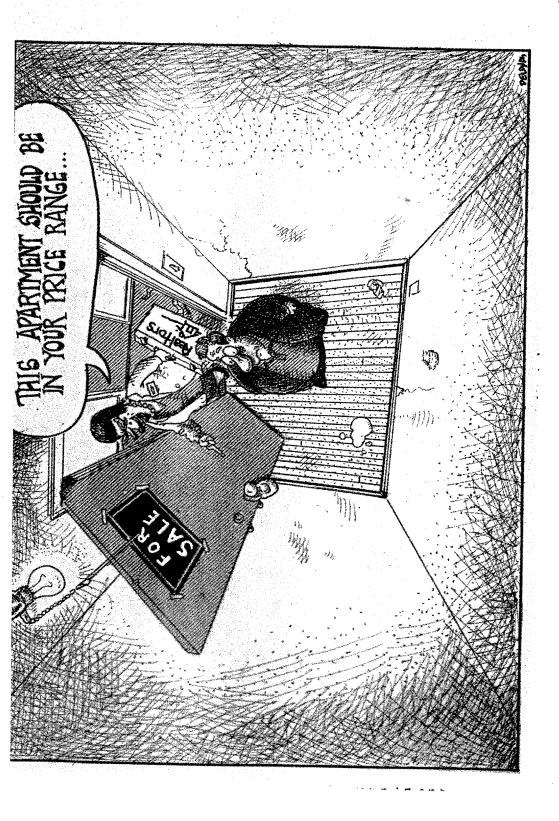
I would like the Planning Board to consider a code amendment increasing the minimum unit size, particularly for new construction

Thank you.

JS/els

Agenda Item <u>CYA</u>

Date <u>V-14-0</u>Y



CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.ci.miami-beach.fl.us



Date: April 14, 2004

COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

A REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE FOR REVIEW AND DISCUSSION THE DEVELOPMENT AND USE OF THE PARKING LOT AND ASSOCIATED LANDSCAPING IMPROVEMENTS ADJACENT TO THE SHANE WATERSPORTS CENTER AS IT RELATES TO THAT CERTAIN SECOND AMENDED AND RESTATED/CONSOLIDATED LEASE AGREEMENT WITH MIAMI BEACH WATERSPORTS CENTER, INC., AS LESSEE, FOR THE CITY-OWNED PROPERTY LOCATED AT 6500 INDIAN CREEK DRIVE, MIAMI BEACH,

FLORIDA

ADMINISTRATION RECOMMENDATION

Refer the matter.

ANALYSIS

On December 14, 1988, the City of Miami Beach (City) and the Miami Beach Jewish Community Center (JCC) entered into a Lease Agreement for the JCC's use of the Cityowned property, with parking lot facilities, located at 6500 Indian Creek Drive (Parcel A) for the development of a rowing facility, at the JCC's sole cost and expense. The property is currently zoned as "GU" (Government Use) and is designated as Parking ("P") in the Future Land Use Map of the City's Comprehensive Plan.

In November of 1989, the City and the JCC entered into a First Amendment to the Lease Agreement that had the effect of enlarging the leased premises on Parcel A. On February 20, 1991, the Mayor and City Commission adopted Resolution No. 91-20246, whereby it agreed to appropriate and disburse a matching contribution, in the amount of \$225,000.00, toward construction of additional improvements for the rowing facility on Parcel A.

On November 20, 1991, the City and the JCC entered into an Amended and Restated Lease Agreement primarily for the purpose of extending the term of the Lease and making other changes relative to securing the City's matching contribution toward the timely construction of improvements at the rowing facility. The Amended and Restated Lease Agreement provided for an initial term of twenty (20) years, having commenced on May 22, 1991, and terminating on May 21, 2011. Provided the Lease is not otherwise in default, the Lease is renewable for one additional term of ten (10) years.

On April 17, 1996, the Mayor and City Commission adopted Resolution No. 96-21955, approving an Assignment of Lease, assigning all interest in the Amended and Restated Lease Agreement from the JCC to Miami Beach Watersports Center, Inc. (MBWC).

Agenda Item <u>C4B</u>
Date <u>4-14-04</u>

Over past several years, MBWC approached the City with its intent to commence, at its sole cost and expense (including the funding allocated by the City Commission to replace the \$300,000 G.O. Bond allocation) extensive capital improvements to the existing building on the leased premises on Parcel A, consisting of a second story to be used primarily as meeting and conference space, as well as a proposal to lease and make capital improvements, consisting of the construction of a dry dock facility (to house the rowing sculls), on an additional parcel of land adjacent to Parcel A which is referred to herein as Parcel B and which has been utilized over the past 10 years for temporary boat storage facilities by the watersports center.

Accordingly, MBWC also requested to exercise the additional ten (10) year option for Parcel A, and for the City to approve a new Lease Agreement to include Parcel B; said term to run concurrent with the full term on the Amended and Restated Lease Agreement until May 21, 2021. To that end, on July 10, 2002, the Mayor and City Commission adopted Resolution No. 2002-24922 approving a Second Amended and Restated/Consolidated Lease Agreement between the City, and MBWC. Said Second Amended and Restated/Consolidated Lease Agreement served to consolidate, in one document, the terms and conditions, as well as the proposed improvements, to the existing facility on Parcel A (the premises currently governed under the Amended and Restated Lease Agreement, dated November 20, 1991), and the new premises on Parcel B, on which MBWC contemplated additional proposed improvements (the dry dock facility).

As part of the Second Amended and Restated/Consolidated Lease Agreement, MBWC has initiated construction of additional improvements to the buildings and improvements presently located on Parcel A and Parcel B, valued collectively at no less than One Million (\$1,000,000) Dollars, such amount to include a minimum of Seven Hundred Thousand (\$700,000) Dollars, to be provided by MBW, and Three Hundred Thousand (\$300,000) Dollars, which is the amount appropriated by the City, via Resolution No. 2000-24016, dated July 26, 2000, to be used toward the proposed improvements. The proposed improvements are being constructed on Parcel A and Parcel B, and are not inconsistent with the plans presented by MBWC to the City, and as approved by the Planning Board May 28, 2002 and the Design Review Board on July 11, 2001 and June 18, 2002.

The Second Amended and Restated/Consolidated Lease Agreement also includes provisions in Article IV to ensure that the general public continues to have access to the facility, with City review of rates and programming, and mandates that MBWC continue to develop, provide and enhance annual educational programming for the residents for Miami Beach. The Second Amended and Restated/Consolidated Lease Agreement also includes additional lease clauses to ensure the City's interests are protected.

MBWC has completed construction of the dry dock facility on Parcel B, and is well underway on the construction of second story improvements on Parcel A. In light of the pending completion of the aforementioned improvements, MBWC has approached the City with regard to the future use and operation of said parking lot and the improvement of the municipal parking lot and associated landscaping. These are the two issues recommended to be referred to the Finance and Citywide Projects Committee.

Future Use and Operation of Parking Lot

Due to the operational requirements of the rowing center, especially during certain MBWC sponsored events, which require accommodation of extra-long trailers used to transport the rowing sculls, traditional parking meters often hinder or limit the use of the parking area. As such, MBWC has requested that currently available "Parkeon" technology (multi-space pay stations by SchlumbergerSema) currently being integrated into the City's parking system be used in the subject parking lot. Moreover, due to the normal daily users of the center, which in many instances are local school aged youth, MBWC has requested that the City consider an alternative and/or reduced parking rate or methodology, to facilitate the use of the center for these users.

Additionally, the MBWC has advised as part of their ongoing programming, the aforementioned MBWC sponsored events continue to increase, including training of major national and international rowing teams (including the University of Miami). These events require the extensive use of the parking areas, especially during certain times of the year, specifically the months of January and March, to accommodate both the parking and turnaround of the extra-long trailers and rowing sculls. As such, MBWC has also cited this as a reason for which they are seeking the City's consideration with regards to minimizing the impact of any parking fees associated with the use of the parking lot.

Landscaping Improvements

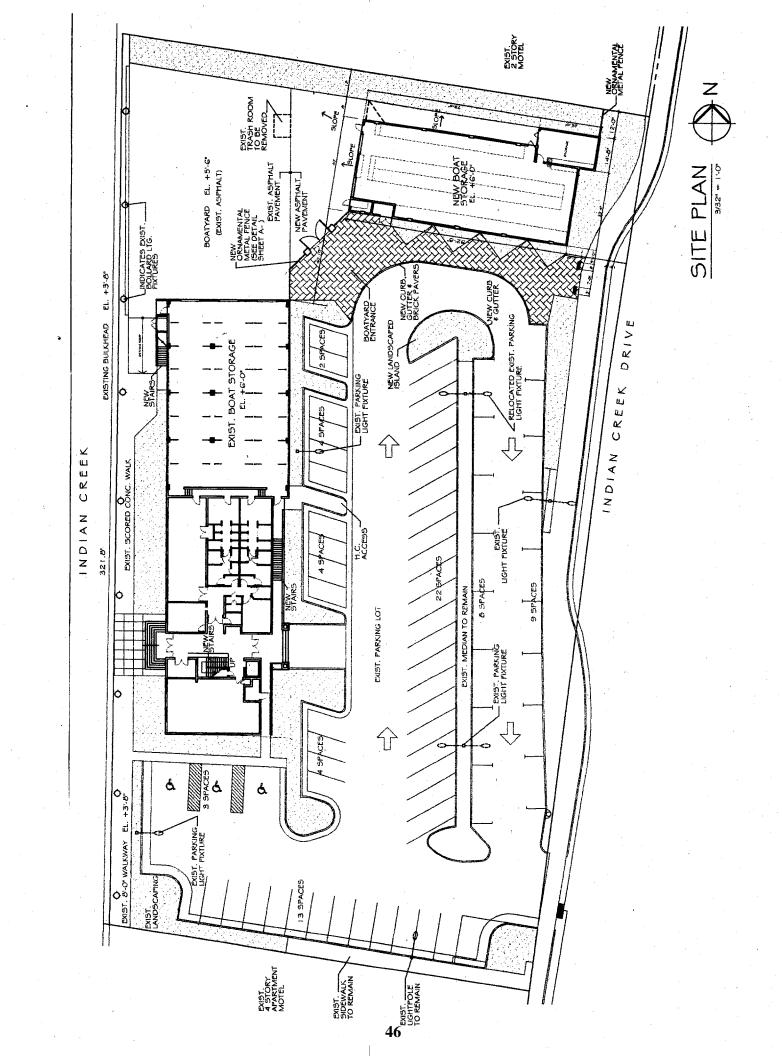
MBWC has also requested that the City participate with the landscaping and improvements to the parking lot, in order to alleviate the impact to their construction budget which has exceeded that which was initially anticipated due to certain unexpected regulatory requirements. As stated above, on July 26, 2000, the Mayor and City Commission adopted Resolution No. 2000-24016, appropriating \$300,000¹ from the General Fund Undesignated Fund Balance to assist in funding of improvements, including landscaping within the public parking area. The estimated cost of the landscaping is \$58,000.

Conclusion

Based on the foregoing, the Administration recommends that the Mayor and City Commission refer the matter to the Finance and Citywide Projects Committee, for their review and recommendation from a policy perspective, with regard to the improvements to the parking lot and associated landscaping, as well as the future use and operations thereof.

JMG\CMC\JD\rir F:\DDHP\\$ALL\ASSET\Shane\SHANE FCWPC REFERAL.MEM.doc

¹ To substitute the originally approved funding of \$300,000 included in the General Obligation Bond project list approved by the Mayor and City Commission and authorized by the electorate on November 2, 1999.



RESOLUTION NO. 2000–24016

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING \$300,000 TO THE SHANE WATERSPORTS CENTER FROM UNDESIGNATED FUND BALANCE OF THE GENERAL FUND

WHEREAS, funding of \$300,000 for improvements to the Shane Watersports Center was originally included in the General Obligation Bonds project list as approved by the Mayor and City Commission and authorized by the electorate on November 2, 1999; and

WHEREAS, the Shane Watersports Center is owned by the City but operated under a long-term lease with the Miami Beach Watersports Center, Inc., therefore making it ineligible to receive General Obligation Bond funds; and

WHEREAS, these funds were programmed for the expansion of the conference/community room on the south side of the building, enlarging the boat storage area and beautifying the parking lot area; and

WHEREAS, it is recommended that the City substitute \$300,000 from the General Fund undesignated fund balance for the previously committed General Obligation Bond funds;

WHEREAS, this item was reviewed by the Finance & Citywide Projects Committee at their of June 6, 2000;

WHEREAS, they approved the substitution of funds and recommended that the Mayor and City Commission approve the appropriation of \$300,000 from the General Fund Undesignated Fund Balance.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that \$300,000 be appropriated to the Shane Watersports Center from the Undesignated Fund Balance of the General Fund.

PASSED AND ADOPTED THIS_	26th DAY OF_	July2000.
	91/1	
	May	ror
Attest: Low Parcher City Clerk		APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

CITY OF MIAMI BEACH

1700 CONVENTION CENTER DRIVE, MIAMI BEACH FL 33139-1824 http://ci.miami-beach.fl.us



COMMISSION MEMORANDUM NO. 595-00

TO:

Mayor Neisen O. Kasdin and

DATE: July 26, 2000

Members of the City Commission

FROM:

Lawrence A. Levy

City Manager

SUBJECT:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION

APPROPRIATING \$300,000 TO THE SHANE WATERSPORTS CENTER FROM UNDESIGNATED FUND BALANCE OF THE

GENERAL FUND

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

Funding of \$300,000 for improvements to the Shane Watersports Center was originally included in the General Obligation Bonds project list as approved by the Mayor and City Commission and authorized by the electorate on November 2, 1999. The Shane Watersports Center is owned by the City but operated under a long-term lease with the Miami Beach Watersports Center, Inc. therefore, making it ineligible to receive General Obligation Bond funds. These funds were programmed for the expansion of the conference/community room on the south side of the building, enlarging the boat storage area and beautifying the parking lot area. As a result, it is recommended that the City substitute \$300,000 from the General Fund undesignated fund balance for the previously committed General Obligation Bond funds.

This item was reviewed by the Finance & Citywide Projects Committee at their meeting of June 6, 2000. They approved the substitution of funds and recommended that the full Commission approve the appropriation of \$300,000 from the General Fund Undesignated Fund Balance.

AGENDA ITEM_

DATE 7-26-00

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From:

Jorge M. Gonzalez

City Manager

Subject: REPORT OF THE NEIGHBORHOOD / COMMUNITY AFFAIRS

COMMITTEE MEETING HELD ON FEBRUARY 17, 2004

A meeting of the Neighborhood / Community Affairs Committee was held on February 17, 2004 at 3:30 p.m. in the City Manager's Large Conference Room. Commissioners in attendance: Matti Herrera Bower, Simon Cruz, Saul Gross, and Richard Steinberg. City staff in attendance: Jorge M. Gonzalez, City Manager; Vivian P. Guzman, Director, Neighborhood Services Department; Kevin Smith, Director, Parks and Recreation Department; Floyd Jordan, Fire Chief; Ed Del Favero, Assistant Fire Chief; Eric Yuhr, Assistant Fire Chief; Ramiro Inguanzo, Chief of Staff; Vincent Andreano, Beach Patrol Captain. Others in attendance are listed in the attached sign-in sheet. Commissioner Matti Herrera Bower was selected as Chairperson for this committee.

OLD BUSINESS

1. <u>DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE EXISTING DEBARMENT AND LOBBYING ORDINANCES.</u>

Item deferred to the next Neighborhood/Community Affairs Committee meeting.

NEW BUSINESS

2. <u>DISCUSSION REGARDING THE TRANSFER OF BEACH PATROL FROM THE PARKS & RECREATION DEPARTMENT TO THE FIRE DEPARTMENT.</u>

Mr. Robert Middaugh, Assistant City Manager, opened the discussion and reviewed the two options regarding the future of Beach Patrol. The option recommended and endorsed by the Administration moves the Beach Patrol Division from Parks and Recreation Department to the Fire Department with Beach Patrol remaining a division. Beach Patrol is requesting to be their own stand alone department known as Ocean Rescue Services Department. The attached memorandum is a synopsis of the analysis and the Administration's conclusion that the best option for Beach Patrol long term in order to accomplish the objectives of concern to the City, the citizens, and the Beach Patrol itself, is within the Fire Department. Both options seem to achieve the same objective of raising the bar for the public safety focus that is the Beach Patrol, however with a stand alone department there are additional administrative costs and duplication of resources that the Administration believes

Agenda Item <u>C6A</u>

Date <u>Y-1Y-0Y</u>

will not provide additional value whereas the Fire Department option allows a much easier transition.

Assistant Fire Chief Ed Del Favero reviewed the history of Beach Patrol and its own review of the move to create the division of the Fire Department (see presentation attached).

Commissioner Saul Gross questioned that if the moving of the Beach Patrol over as a division of the Fire Department is such a great idea, then why was there such resistance early on. Assistant Chief Del Favero responded that the Fire Department never resisted the idea and that Commissioner Luis R. Garcia, Jr. brought this idea up some time ago and it is just now being offered to the Department. It was actually given to the Department for review in September 2003 and the benefit was immediately obvious.

Mr. Middaugh reiterated that there doesn't seem to be any disagreement in terms of the goals that everyone is trying to accomplish, that the end result is a higher functioning Beach Patrol, improved level of service and better resources. He also made note that the discussion about Beach Patrol is how to improve and should not imply that it is not well run or that it is a bad organization. Beach Patrol has reached its current level and we are now discussing how their abilities can be enhanced by an organizational restructuring. This is not a negative on the Parks and Recreation Department.

Richard McKinnon, President of Communication Workers of America (CWA) Local 3178 and lifeguard with the City of Miami Beach, submitted a letter on their position (attachment) and spoke on the issue.

Commissioner Matti Herrera Bower asked if there is a cost analysis of the two options being discussed. The concern is added cost, systems such as payroll and procurement processes that would have to be duplicated in a stand alone department. Additional expenses in managerial and supervisory costs are also involved. The Administration's issue is that these additional expenses do not add any value when compared to placing the Beach Patrol in a successful, well structured, well run Fire Department with a very common purpose, mission, and set of principles.

Commissioner Simon Cruz confirmed that the Beach Patrols in Hollywood, Ft. Lauderdale, and Miami-Dade County all went to the Fire Department as opposed to a stand alone department. Mr. Jorge M. Gonzalez, City Manager, added that San Diego also had moved to the Fire Department. Commissioner Cruz asked Mr. McKinnon why he thinks these other municipalities went with this model instead of stand alone departments. Joseph McManus, Beach Patrol and CWA representative, responded that he doesn't believe they have the same size, scope, climate, visitation, preventions, or drownings as Miami Beach. Adding that Miami Beach is in a league of its own and that although these are large organizations, they are very seasonal as to whether there are people in the water. Many of their lifeguards are seasonal in these locations, very few are full-time.

Commissioner Bower asked of the Beach Patrol representation what they believe will be achieved as a stand alone department. Mr. Gonzalez interjected that the

Administration met and has been working well at trying to come up with a mutually agreeable arrangement. That morning they had a long conversation and mutually agreed upon goal being the best lifeguard department with zero drownings.

Commissioner Steinberg described his observation that in the lifeguards/CWA view their concerns are related to their budget. As a division within the Fire Department they feel that lesser priority will be given and funding affected. He went on to say that the Administration's view is that with a separate department, the additional cost does not bring additional benefit. Commissioner Steinberg questioned the feasibility of a separate budget for an Ocean Rescue Division appearing as a distinct section within the Fire Budget so that funding decisions for the Fire Department and the Ocean Rescue Division would each be clearly visible and any cross impacts reduced.

Mr. McManus stated that the lifeguards/CWA believe that the fastest, most expeditious means to address and correct the continuing problem with drownings on Miami Beach is to create a stand alone department, reporting directly to the City Manager and that this will not incur much more cost and referred to the attached Ocean Rescue Services Departmental Organizational Chart. Mr. Gonzalez stated that his proposal of joining the Fire Department could start in April and that would be the fastest. Fire Chief Floyd reminded that the Fire Department's main focus is the same, safety.

Commissioners Cruz and Bower asked for cost analysis for the two choices as a decision cannot be made without the financial information.

Action: The Administration is to bring the item to the next meeting of the Neighborhood/Community Affairs Committee along with a report of the cost associated with creating a stand alone department and a procedure if it is moved into the Fire Department.

3. <u>DISCUSSION REGARDING POTENTIAL ENHANCEMENTS TO THE PINE TREE</u> BARK PARK.

Mr. Robert Middaugh, Assistant City Manager, opened the discussion with an overview of the potential expansion of the heavily used Bark Park currently located at Pine Tree Park. The City has been approached with a donation to expand the park to a larger configuration. The proposed expansion would allow the Bark Park to grow within the existing paved sidewalk allowing for more space for the dogs to roam. A resident has offered the City \$25,000.00 to get Phase 1 improvements in place which would include the additional fencing and some interior amenities including a water fountain. Future plans would be, as money becomes available, to further enhance with doggie plazas and other types of amenities. The proposed design would allow the park to serve the desires for the expanded Bark Park users while enabling others to utilize the central green space, walking path, and still allowing access to the water. The existing fenced in area would be used for smaller dogs, separate from the new area for larger dogs.

Commissioner Bower asked if there are facilities in existence for children at this park as there are many in the area. There are several other parks in the area including Muss Park, 63rd, 51st, and 46th streets. Kevin Smith, Director, Parks and

Recreation Department, informed the group that at one time the City attempted to get a tot lot in this park but it was not well received by the area residents. Commissioner Bower requested that when this proposal is brought to the community that the idea of a tot lot be discussed since the demographics may have changed since its earlier proposal. Mr. Smith stated that the park was purchased jointly with the City and Miami-Dade County and there may be some restrictions with regard to use. The agreement originally stated that the park's use would be passive activity meaning that there is no structured amenity or organizational activity but he would be happy to research it.

Commissioner Gross confirmed that the proposed expansion has not been taken to the neighborhood and that the next step should be to do just that. Commissioner Bower expressed concerns that such a large portion of the park will be dedicated to dogs. This project has been discussed with the Parks & Recreation Board and they expressed concerns with design issues including finding a way to control the public parking area access into the park so that people wouldn't just get out of their cars and let their dogs run as they do now. Commissioner Steinberg addressed the current adequacy of the parking lot. Mr. Middaugh answered that there will probably be a need for future expansion in that area. Commissioner Gross expressed that he would not like to see losing more green space to an expansion of the parking lot.

Commissioner Gross asked that the proposed changes be posted in the park for at least one week announcing a scheduled neighborhood meeting to discuss the issue. Commissioner Bower added that the meeting should be advertised in the paper for those residents in the neighborhood that may not utilize the park but do have an interest in what is done here.

Action: Item is to be brought back to the next meeting of the Neighborhood/Community Affairs Committee with a report of the maintenance costs involved with the proposed enhancements made to the park prior to acceptance of the donation and the comments and/or input of the neighborhood.

4. DISCUSSION REGARDING AN ORDINANCE AMENDING MIAMI BEACH CITY CODE CHAPTER 2, ARTICLE III "AGENCIES, BOARDS AND COMMITTEES," SECTION 2-22(5) THEREOF ESTABLISHING TERM LIMITS OF BOARD AND COMMITTEE MEMBERS, BY PROVIDING THAT SAID TERM LIMITS SHOULD NOT INCLUDE TIME SERVED AS A RESULT OF HAVING FILLED A VACANCY; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Item deferred to the next Neighborhood/Community Affairs Committee meeting.

5. <u>DISCUSSION REGARDING THE USE OF CHANNEL 20 TO BROADCAST PUBLIC SERVICE ANNOUNCEMENTS.</u> (LATE ADDITION TO MEETING)

Item deferred to the next Neighborhood/Community Affairs Committee meeting.

Attachments
JMG/RCM/VPG/rfm
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NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE CITY OF MIAMI BEACH

FEBRUARY 17, 2004

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX /EMAIL
Joe Fisher	C. W. A. V. D. Beach Rates 786 457 7746	9/H t t 5h 98t	
Joseph McMANUS	CWA / Beach Patrol	454 191 45P	memani Obellsouthinet
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NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE CITY OF MIAMI BEACH **FEBRUARY 17, 2004**

SIGN-IN SHEET

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NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX /EMAIL
Lorna Myia	Comm. Bower / Cub	6637	NOOF
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HAND OPPINEERA	BEACH PATROL	7714	
VINCE ANDREAND	Beech Patrol	7714	
Floyd Jordan	Fire Dept.	7/20	8822-829
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NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE FEBRUARY 17, 2004 CITY OF MIAMI BEACH

SIGN-IN SHEET

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Miami Beach Fire Department Beach Patrol Division and

Merging Forces to Become....

Division of The Miami Beach The Ocean Rescue Fire Department

renewed dedication to public A new name, a new look, a safety

Historically Speaking

- Beach Patrol was a separate Dept.
- Beach Patrol was under the Police Dept.
- Beach Patrol was under Parks
- Beach Patrol now merged with the Fire Dept. as "Ocean Rescue Division"

Historically Speaking

- Fire Depts. traditionally provided ONLY fire protection
- EMS/Rescue introduced in the late 1960's and early 1970's
- Fire Service initially resisted then embraced EMS/Rescue
- Modern Fire Service has adopted an "All Hazards" approach
- Other So.Fl. Fire Depts. Have merged with Life Guards
- Ocean Rescue and Fire A Logical Fit

Why Merge Ocean Rescue & Fire? Common Core Functions

- Public Safety
- Rescue
- **Emergency Medical Services**
- Rescue provides back-up when Advanced Ocean Rescue provides basic EMS, Fire Life Support or transportation is required
- Customer Service

Why Merge Ocean Rescue & Fire? Training Functions

Training

- Fire provides medical training and required refreshers, including; EMT, CPR, PPE, Infectious Disease, Reporting, etc.
- Ocean Rescue can provide; Swimming and Water Rescue training, ATV, PWC and Rescue Boat cross-training
- Joint training will enhance proficiency of rescuers

Why Merge Ocean Rescue & Fire? Supply Functions

Supplies

- Fire provides Oxygen refills to Ocean Rescue
- Standardize first aid supplies
- Streamline supply ordering, inventory and storage
- Re-supply, restock, repair and maintenance of medical equipment

Why Merge Ocean Rescue & Fire? Administration Functions

Administration

- MBFD Manning OMS/RMS for staffing and payroll
- Opportunity to Share Payroll and office Functions
- 24 Hr. Sick Call /Emergency Call in Phone
- Human Resources Management
- Budget, Planning, Trends and Analysis

Why Merge Ocean Rescue & Fire? Common Rank Structure

- Ocean Rescue and Fire Rank Structures are Similar
- Life Guard 1 Firefighter 1
- Life Guard 2 Firefighter 2
- Ocean Rescue Lt. Fire Lt.
- Operations Supervisor Fire Captain
- *Ocean Rescue Captain Fire Division Chief
 - *Ocean Rescue Captain will be re-titled "Ocean Rescue Division Chief"

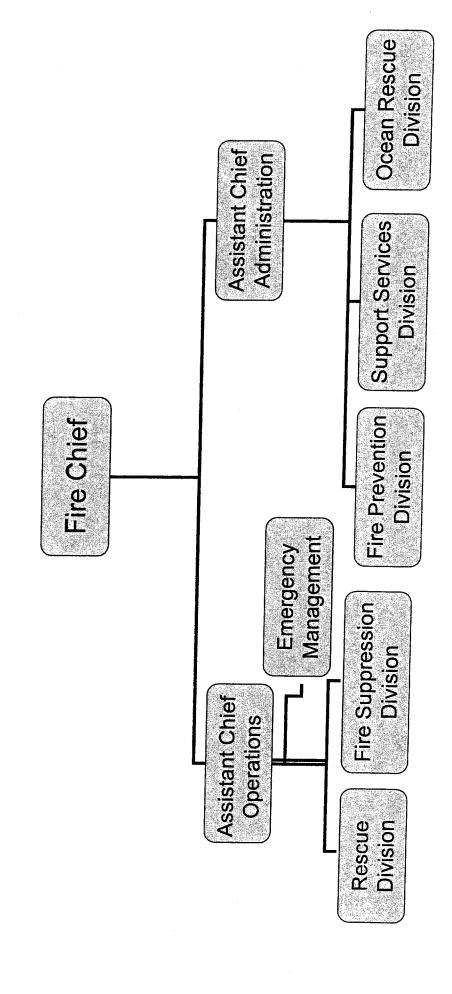
Why Merge Ocean Rescue & Fire? Facilities

- Shared use of Fire Stations 3 and 4
- Possible fuel site for ATV's and Ocean Rescue Vehicles at Station 3
- Incorporate Ocean Rescue HQ with new Fire Station 2
- Current "Beach Patrol HQ" to Historic Preservation
- Consider consolidating Ocean Rescue stations from 4 to 3

Where will The Ocean Rescue Division Fit into the Fire Department structure?

and operational program for the time being. They will be under the Assistant Fire Chief Ocean Rescue will retain its rank structure of Administration as a division of the Fire **Department**

Table of Organization



Operational Changes

- communication on beach rescue calls Improved coordination / cooperation /
- Expanded "All Hazards" roll
- Improved Incident reporting and Strategic Planning
- Solution for fueling ATV's and PWC's

Cultural Vision

- Increased Level of Professionalism
- Labor/Management Cooperation
- **Excellent Customer Service**
- Core Function Proficiency
- Minimum Standards
- "Team" Mentality
- Openness to Change

When will the merger happen?

- Target Date: April 5th, 2004
- Transition to occur after traditionally busy "spring break" period
- Allows Fire and Ocean Rescue to plan and prepare 04/05 budget
- participative Labor/Management process to Allows Fire and Ocean Rescue to apply merger plans

What has happened so far?

- Meetings with City Management
- Meetings with Parks Department Head Kevin Smith
- Operations Supervisor Hank Oppenborne Meetings with Captain Andreano and
 - Met with CWA and IAFF Leadership
- Based on feedback from above meetings and research, short, medium and long term goals have been established

How will transition take place?

- Three Stages of Planning
- Short term now until September 30th
- Medium term FY 04/05
- Long term Five year plan

Short Term Plan

- Maintain Core functions
- Assess safety deficiencies
- Assess staffing, facilities, and capital resources
 - Assess training needs
- Assess supply needs
- Identify duplicate functions
- Assimilate Ocean Rescue into the Fire Dept. culture

Medium Term Goals

- Address safety issues
- Develop architectural plans for a standard Life **Guard Tower**
- Begin systematic replacement of unsafe/substandard towers
- Strengths, Weaknesses, Opportunities and Gather/analyze statistical data identifying **Threats**
- Fund/build/staff towers according to trend analysis and Strategic Planning results

Medium Term Goals, continued

- Include Ocean Rescue in MBFD Manning CAD/RMS network
 - Encourage 100% EMT Certification
- Establish an Ocean Rescue Training Officer
 - Establish Standard Operating Guideline's (SOG's) for Ocean Rescue Operations
- Standard Of Cover Document (SOC), Strategic Update Rules and Regs, Mission Statement,

Medium Term Goals, continued

- Assess skills and abilities/address deficiencies through training programs
 - Implement streamlining efforts for identified duplicate functions
- Cross-training Opportunities for Fire/Ocean Rescue personnel
- EMT, AED, First Responder, other
 - ATV operations
- PWC/Rescue Boat operations
 - Water Rescue operations

Long Term Goals

- towers as identified by Strategic Plan, data replacement and establishment of new Complete implementation of Tower and trend analysis
- Complete agency accreditation
- Complete plans to relocate, build or refurbish fixed facilities
- Continue Strategic Planning process

Long Term Possibilities

- Paramedic training for Life Guards
- Transition Program to Firefighter

Our Ultimate Goal:

professional Firefighters and assembling the best team of To enhance public safety by Ocean Rescue Life Guards in the World!

OCEAN RESCUE SERVICES DEPARTMENT

February 17, 2004

Dear Commissioners / Committee members.

The recent problems and service level cuts proposed by the Parks & Recreation Department clearly illustrates the failure of the current chain of command structure. The importance and impact of Ocean Rescue Services on the safety of citizens and tourists, including the image of the City of Miami Beach, deserves the focused attention and direction of the City Manager.

The alternative chain of command through the Fire Department is superior to having Ocean Rescue under the supervision of the Assistant City Manager/Parks and Recreation Department Director. However, the Fire Department's focus should remain on its current mission. It is not prudent for the Fire Department to be placed in a position of having to choose between Fire Department's and Ocean Rescue Services' mission and budget priorities.

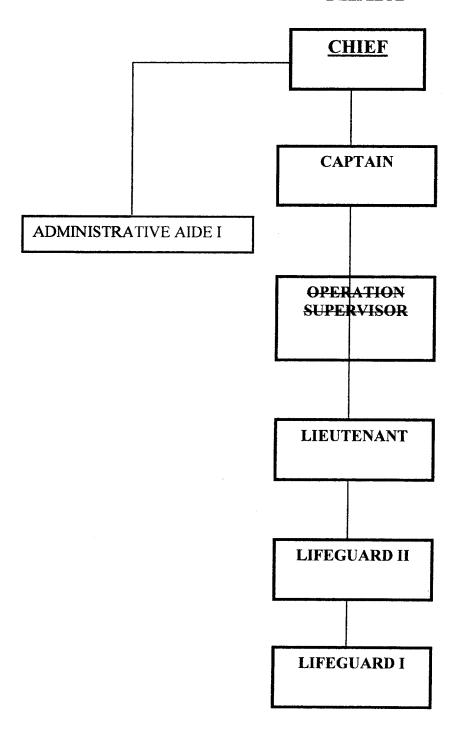
The responsibility for the Ocean Rescue Services levels/budget priorities must be given the same weight as the Police and Fire Departments. Considering that Miami Beach has more miles of beaches, more full-time lifeguards, more rescues, more drowning, more preventive actions, more medical responses and more visitors than any other ocean community in the state of Florida and the need for a separate Ocean Rescue Services Department is critical.

The creation of an Ocean Rescue Services Department reporting directly to the City Manager will ensure that the safety of citizens and tourists will not be compromised through conflicting and competing inter-departmental priorities.

With that in mind, Miami Beach's professional lifeguards respectfully request that you adopt and recommend to the City Commission, the creation of the Ocean Rescue Services Department by ordinance.

Richard D. McKinnon, President of CWA Local 3178

2003-2004 OCEAN RESCUE SERVICES DEPARTMENTAL ORGANIZATIONAL CHART



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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From:

Jorge M. Gonzalez City Manager

Subject:

REPORT OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE

MEETING OF MARCH 15, 2004.

A meeting of the Finance and Citywide Projects Committee was held March 15, 2004 at 2:30 p.m. in the City Manager's Large Conference Room.

Finance and Citywide Projects Committee Members in attendance included: Chairperson Commissioner Jose Smith, Vice Chairperson Commissioner Richard Steinberg, and Commissioner Matti Herrera-Bower.

Also in attendance were Vice-Mayor Saul Gross and Commissioner Luis R. Garcia, Jr.

City staff was represented by: Jorge M. Gonzalez, City Manager; Patricia D. Walker, Chief Financial Officer; Christina M. Cuervo, Assistant City Manager; Robert Middaugh, Assistant City Manager; Fred Beckmann, Public Works Director; Tim Hemstreet, Capital Improvement Projects Director; Jorge Chartrand, Assistant Capital Improvement Projects Director; Ronnie Singer, Community Information Manager; Georgina Echert, Assistant Finance Director; Manny Marquez, Finance Manager; Odessa Pinder, Executive Office Associate I; Jose Cruz, Budget Officer; Saul Frances, Parking Director; Kent Bonde. Redevelopment Director; Joe Damien, Asset Manager; Robert Reboso, Redevelopment Specialist; Max Sklar, Cultural Affairs and Tourism Development Assistant Director; Raul Aguila, First Assistant City Attorney; Debora Turner, First Assistant City Attorney; and Erica Shafir, Office Associate V.

Others in attendance included:

Doug Tober, Convention Center and Jackie Gleason Theater of Performing Arts (TOPA) General Manager; Bill Talbert, Al West, David Whitaker, and Ita Moriarity from the GMCVB: Andrew McLean and Kevin Gordon from TVS; David Kelsey, South Beach Hotel and Restaurant Association; Stu Blumberg, GMBHA; Mitchell Pellecchia, Sun Post; Richard Arcuri, DMS; Sheldon McCartney, McCartney Construction; R.J. Heisenbottle, R.J. Heisenbottle Architects; and Sidney Goldin.

NEW BUSINESS:

1. Discussion regarding the review, assessment, and recommended structure of the Greater Miami Convention and Visitors Bureau (GMCVB) conducted by **Economic Research Associates (ERA).**

Agenda Item (

Action

The Committee instructed the Administration to review and analyze the GMCVB's latest contract to rate how they have fulfilled their obligations; and compare the City's Consultant Report in conjunction with Miami-Dade County's and the GMCVB's Strategic Plan.

Assistant City Manager Christina M. Cuervo introduced and summarized the item. Ms. Cuervo distributed a transmittal letter from Consultant/GMCVB Steering Committee (Attachment A). The transmittal letter contains comments from the Steering Committee.

Ms. Cuervo went over the major points of the final report turned in by Economics Research Associates (ERA) entitled "Review, Assessment and Recommended Structure of the Greater Miami Convention and Visitors Bureau."

City Manager Jorge M. Gonzalez stated that the contract with the GMCVB expires on September 30, 2004 and the contract contains no renewal options.

Mr. Gonzalez further stated that the report concluded that the best model for the City is to be part of a regional marketing effort. Mr. Gonzalez also stated that the consultant recommend a long standing funding source from the City to maintain this marketing effort.

Commissioner Richard Steinberg stated that the report concludes that the model of the Bureau works for the City and that an advertising firm is not recommended. Commissioner Steinberg also stated that the evaluation of the City, Miami-Dade County and the Bureau should be compared and analyzed.

Commissioner Luis R. Garcia, Jr. stated that the City needs to establish a plan which states the City's needs and desires from the GMCVB and then negotiate the best contract possible for the City.

Commissioner Matti Herrera-Bower stated that before we can negotiate a new contract with the GMCVB, we need to review the GMCVB's Strategic Plan.

Commissioner Jose Smith stated that the committee needs to review and analyze the GMCVB's latest contract to rate how they have fulfilled their obligations.

The Committee instructed the Administration to review and analyze the GMCVB's latest contract to rate how they have fulfilled their obligations; and compare the City's Consultant Report in conjunction with Miami-Dade County's and the GMCVB's Strategic Plan.

2. Discussion regarding a proposed multi-purpose space expansion to the Miami Beach Convention Center.

ACTION

The Committee instructed the Administration to report back to a future Finance and Citywide Projects Committee meeting with a cost benefit analysis that will explain and quantify all the different options available.

Assistant City Manager Christina M. Cuervo introduced and summarized the item. Ms. Cuervo introduced Mr. Andrew McLean and Mr. Kevin Gordon from the firm of Thompson, Ventulett, Stainback & Associates, Inc. (TVS). Ms. Cuervo stated that TVS was engaged by the City to conduct a site analysis and study the feasibility and potential benefits of locating a 50,000 to 60,000 square feet of multi-purpose space/ballroom at the metered parking lot to the south of the Miami Beach Convention Center directly across Convention Center Drive from City Hall.

Mr. McLean and Mr. Gordon gave a presentation to the Committee outlining the Miami Beach Ballroom Study. TVS concluded that the multi-purpose space/ballroom is feasible, but would require the demolition of the 555 17th Street Historic Building.

TVS further stated that a multi-purpose space/ballroom at the proposed site could lead to the following benefits:

- Efficiencies gained with "back of house" operation between the Convention Center and the proposed Ballroom;
- Direct access by adjoining the Gleason Theater and the proposed Ballroom;
- Potential addition and incorporation of office space for Convention and Visitors Bureau or Visitor Center needs;
- Enhanced linkage between Convention Center and Lincoln Road; and
- Frontage on 17th Street facing the proposed New World Symphony Soundspace project, creating a focal cultural destination in the City Center.

Committee members questioned how the proposed site for the ballroom would impact the City Center Master Plan. City Manager Jorge M. Gonzalez stated the City is planning on replacing all displaced parking, as well as adding additional spaces as a result of the City Hall Employee Parking Lot and the proposed P-Lot. Mr. Gonzalez further stated that in order to remain competitive, the Convention Center needs a ballroom facility.

Additionally Mr. Gonzalez said that the City has a number of choices: build a ballroom, or build a garage, or build both. Mr. Gonzalez added that the City would have to seek funding in order to complete both projects because the \$55 million Convention Center Expansion Project allocation in the proposed November 2004 G.O. Bond Program would not be enough for both the ballroom and P-Lot.

Commissioner Luis R. Garcia, Jr. stated that the City needs both the ballroom and P-Lot, but to keep in mind that plans for a ballroom at the proposed site may not be feasible because of the Historic Building located at said site.

Vice-Mayor Saul Gross stipulated that the City must keep its promises of delivering additional parking to the area.

Mr. Gonzalez stated that aside from the \$55 million G.O. Bond allocation, the City may earmark Redevelopment Agency and Parking funds for the proposed facilities.

Discussion ensued by the Committee over the benefit of building a multi-purpose garage, exhibition, and ballroom facility at the P-Lot site.

Commissioner Richard Steinberg recommended a cost benefit analysis be done analyzing the available options.

The Committee instructed the Administration to report back to a future Finance and Citywide Projects Committee meeting with a cost benefit analysis that will explain and quantify all the different options available.

3. Discussion regarding the Colony Theatre Project.

ACTION

The Committee instructed the Administration to proceed with the meeting scheduled tomorrow, March 16, 2004, with the State of Florida Department of Management Services (DMS), R.J. Heisenbottle Architects (RJHA), and McCartney Construction Company (McCartney) and report back to the City Commission and Miami Beach Redevelopment Agency Board at the March 17, 2004 meeting.

City Manager Jorge M. Gonzalez and Capital Improvement Projects Director Tim Hemstreet introduced the item. Mr. Hemstreet stated that the Colony Theatre Project has a number of issues that need to be addressed including: DMS requested change orders that are not funded, DMS requested change orders that have not been approved by the City, the loss of Cultural Arts Grants funding, funding for Art in Public Places, and funding for Capital Improvement Office (CIP) construction management fees.

Mr. Hemstreet summarized the issues and history of the project as follows:

- The Colony Theatre Renovation project began in 1999 as a \$1.5 million concept project.
- A series of cultural facilities grants were pieced together during the balance of that year and in October 1999, the City executed a Professional Services Agreement with the State of Florida, Department of Management Services ("DMS") to provide design, pre-construction, and construction management at risk services.
- The Agreement called for DMS to hire both the Architect and the Construction Manager/Contractor, many of the normal duties of the City are fully delegated by the Agreement to DMS as the City's Agent.
- McCartney, as contractor for DMS, submitted a GMP for construction in the amount of \$5,568,002 in February 2003.
- In May 2003, DMS provided Request for Change Order No. 3 to the City in the amount of \$557,769.
- The staff did not believe that the information provided was sufficient to properly demonstrate that the City is contractually responsible for these charges and declined to recommend this Request for Change Order to the City Commission/RDA Board.

- DMS subsequently submitted a revised request to staff in February 2004 in the amount of \$789,019.
- This amount has been recommended to the City by DMS for approval.
- The Request for Change Order contains a number of requests for additional costs, for replacement of contingency, for additional General Conditions, additional Overhead and Profit, additional Management Fees, additional Owner requested items as well as unforeseen conditions.
- The amount recommended by the staff for RCO No. 3 is \$396,762.
- There are additional items not related to the Request for Change Order that should also be funded at this time.
- These items are \$301,335 for AIPP and CIP fees; \$500,000 to replace the State grant; and \$188,106 for contingency and Owner requested FF&E items.
- The total staff recommended appropriation with all items is \$1,386,203.

Assistant City Manager Robert Middaugh stated that DMS has largely ignored City requests and furthermore DMS has authorized many items without the City's consent.

Commissioner Jose Smith asked if any of the change orders and requests by DMS were for items that if the City would have also requested and paid if this project was managed by the City. Mr. Hemstreet replied that DMS submitted a GMP for construction of the Colony Theatre project and that it is CIP staff's position that the GMP covered all construction costs. Mr. Hemstreet further stated that in a GMP, contractors are required to budget for all possible construction costs.

Mr. R.J. Heisenbottle, from the firm of RJHA, architect for the Colony Theatre project, stated that a number of the change orders, additional costs, and delays are directly the result of requests and requirements made by the City. Mr. Heisenbottle gave an example of a stop work order issued by the City's Building Department for requirements that are not customary in the building industry. Mr. Heisenbottle also stated that a number of the findings came up after the GMP was issued and that these discoveries could not have been made earlier because the Theater was operational at the time, i.e. problems with pilings and tie-beams on the roof.

Vice-Mayor Saul Gross stated that it would not be fair to ask the contractor to pay out of pocket for unforeseen items the City would have had to pay for anyways, if the City was managing this project. Assistant CIP Director Jorge Chartrand replied that according to our GMP contract the City is not responsible for these additional costs.

Mr. Gonzalez stated that in effort to not delay completion of the project, the Administration has scheduled a meeting tomorrow with DMS, RJHA, and McCartney to address a resolution of the issues mentioned today.

The Committee instructed the Administration to proceed with the meeting scheduled tomorrow, March 16, 2004, with DMS, RJHA, and McCartney and report back to the City Commission and Miami Beach Redevelopment Agency Board at the March 17, 2004 meeting.

4. Discussion regarding the lists of projects to be considered for inclusion in the Miami-Dade General Obligation Bond Issue.

ACTION

The Committee instructed the Administration to bring back to a future Finance and Citywide Projects Committee meeting a shortlist of projects to be considered for inclusion in the Miami-Dade County General Obligation Bond Issue prioritized on a regional basis.

City Manager Jorge M. Gonzalez introduced and summarized the item. Mr. Gonzalez stated that the Administration has compiled a preliminary list of regional projects to be considered by Miami-Dade County and the City of Miami Beach for inclusion in the proposed Countywide General Obligation (G.O.) Bond Referendum on November 2, 2004.

The Committee expressed their desire to prioritize and shortlist the G.O. Bond project list on a regional basis before submission to the County. The Committee further stated that the proposed G.O. Bond list should be limited to City owned projects that benefit the region and should not include privately owned projects.

The Committee unanimously instructed the Administration to bring back to a future Finance and Citywide Projects Committee meeting a shortlist of projects to be considered for inclusion in the Miami-Dade County General Obligation Bond Issue prioritized on a regional basis.

5. Second Amendment to the Interlocal Agreement between the City of Miami Beach and Miami-Dade County.

ACTION

No Action Necessary.

City Manager Jorge M. Gonzalez introduced and summarized the item. Mr. Gonzalez stated that an Agreement (Second Amendment) has been reached with Miami-Dade County (County) that would result in the County remitting the \$15 million payment due to the City, as a result of the First Amendment to the 1996 Interlocal Agreement, within 10 days of the effective date of the Agreement, i.e. 10 days after County approval or veto override, and upon City approval.

Mr. Gonzalez further stated that the County Budget and Finance Committee, on March 11, 2004, approved the Agreement and that the Board of County Commissioners will consider the Agreement tomorrow, March 16, 2004. Mr. Gonzalez also stated that the Agreement will come before the City Commission on Wednesday, March 17, 2004.

Assistant City Manager Christina M. Cuervo stated that a summary of the proposed Agreement has been distributed as part of the Finance and Citywide Projects Committee Agenda.

Mr. Gonzalez outlined the Agreement/Second Amendment in regards to the 1996 Interlocal Agreement as follows:

 The County will remit a \$15 million payment within 10 days of the effective date of the Agreement, i.e. 10 days after County approval or veto override, and upon City

- approval.
- All reference to Baseball, including paragraph C of Amendment One to the Interlocal which required the City's support of all County and State legislative initiatives related to the financing and development of the baseball stadium project, will be eliminated.
- The County agrees to include a \$55 million Convention Center Expansion Project in the proposed November 2004 G.O. Bond Program.

If the G.O. Bond Program is approved, the City will also receive:

\$45 million (capped) payment stream from 20% of the South Pointe Tax Increment commencing October 1, 2005 to September 30, 2016, continuing to September 30, 2017 at a rate of 45% if the \$45 million cap has not been achieved said proceeds are available to the City for eligible CDT or Municipal Tourist Resort Tax uses.

If the G.O. Bond program is not approved by the voters, the City will receive:

 \$55 million (capped) payment stream from 20% of the South Pointe Tax Increment from commencing October 1, 2005 to September 30, 2016, continuing beyond that date at a rate of 45% if the \$55 million cap has not been achieved, for the expansion or enhancement of the Miami Beach Convention Center.

Additionally in either case:

- All payments referenced above may be pledged by the City as security to fund capital costs and the County agrees to cooperate with the City in any such bond issuance.
- The forecasted CDT receipt schedule will remain intact, which to date has not realized any payments due to the adverse impact of 9/11. It is projected, based on new forecasts, that a revenue stream may be realized after 2020.
- The City agrees to drop the pending claim processed under Chapter 164.
- The Termination Date has been clarified as the latest of (a) September 30, 2040; (b) the latest expiration of any agreement providing for the pledge of CDT receipts for the PAC, or (c) the latest expiration of any Agreement providing for the pledge of CDT receipts for Baseball Stadium. It is anticipated that the PAC or Baseball financing is likely to last at least 40 years, which could result in an additional 5 year payment stream as contemplated by the terms of the Agreement.
- All other terms of the First Amendment remain the same.

Mr. Gonzalez additionally stated that the County Administration and City Administration have agreed to amend the Redevelopment Agency Interlocal Agreement to address the refinancing of certain existing debt within the City Center District and to address the payment to the County to offset costs associated with the administration of redevelopment agencies and a like payment to the City at fiscal year end.

Commissioner Jose Smith asked what the City is planning to do with the \$15 million payment? Mr. Gonzalez replied that the City has committed \$2 million for the purchase of books for the new Regional Library and that the remaining \$13 million is available for any CDT eligible expenses.

Mr. Gonzalez stated that the proposed settlement Agreement is good deal for the City and will result in a "win-win" situation. Mr. Gonzalez further stated that the Agreement achieves two of our key objectives: (1) securing the immediate payment of the \$15 million owed to the City and (2) securing funding to accomplish the anticipated expansion and maintenance of the Miami Beach Convention Center.

JMG/PDW/mm

T:\AGENDA\2004\April 14, 2004\CONSENT\Fin & CW 03-15-04

ATTACHMENT A

March 5, 2004

Honorable Mayor Dermer and City Commission City of Miami Beach 1700 Convention Center Drive Miami Beach, FL 33139

RE: Transmittal letter from Consultant/GMCVB Steering Committee to City Commission

Dear Mayor & Commission:

In February 2003 (as advised via LTC 31-2003), the City Manager organized a steering committee to assure participation by City stakeholders and to help guide the consultant's work plan and provide input throughout the deliverables. The steering committee has been comprised of City staff and:

- Elsie Howard, Visitors and Convention Authority
- Stuart Blumberg, Greater Miami and the Beaches Hotel Association
- Michael Milberg, Chair of Miami Beach Chamber of Commerce
- David Kelsey, South Beach Hotel and Restaurant Association
- Bill Talbert, GMCVB Liaison appointed by GMCVB
- Doug Tober, SMG

The Steering Committee (SC) has met on at least 6 occasions over the past year. The objective of the SC was to work with the Administration and the Consultants on providing the proper information as requested by the Mayor and Commission in their effort to determine the relationship with the City of Miami Beach and the Greater Miami Convention and Visitor Bureau.

The Request for Proposals and subsequent contract outlined the following 5 objectives:

- 1. A review and assessment of the current Greater Miami Convention and Visitors Bureau ("GMCVB") governance, structure, processes and overall operations
- Make recommendations as to what type of model/structure should exist to provide the services necessary to achieve the optimal public relations, sales and marketing efforts to enhance the CMB's tourism and convention industries. The consultant will make recommendations as if no such structure currently existed throughout the region.
- 3. Consultant will compare and provide a comprehensive report on the GMCVB operations relative to industry standards
- 4. The Consultant will evaluate and recommend strategic approaches for the CMB to meet objectives identified in the Market Assessment
- 5. Assess any adverse/positive impact as a result of the Bureau's efforts to market Greater Miami versus Miami Beach only. In this context, assess Bureau's efforts in marketing, promoting and supporting all segments of Miami Beach as a preferred destination. Evaluate how those efforts impact and maximize the assets and attributes of smaller communities through broad destination-wide sale

March 5, 2004 ERA Steering Committee Report Page 2 of 4

and marketing approach. Formulate recommendations for increasing overall effectiveness that unifies and considers all stakeholders, creating a collective atmosphere in which to promote Miami Beach as a premier convention and tourist destination.

The consultants' recommendation is summarized as follows:

'That the GMCVB is performing professionally and effectively. However, some immediate improvements are needed, as recommended in response to the five objectives listed above, specifically in the areas of improving the quality of the relationship between the Bureau and the City, completing a strategic plan, and strengthening the governance of the Bureau."

The consultant further identifies 3 primary needs for tourism generated revenues: There should be adequate resources for general City services, regional and local tourist services. To maintain tourism as an economic development generator, there needs to be funding for:

- a. Regional tourism marketing
- b. Local economic development tourism product development
- c. General services to support tourism

The report remains silent on how to adequately achieve funding for all 3 as it was out of the list of the aforementioned objectives.

The Steering Committee action:

The Steering Committee overall, with the sole dissent by David Kelsey, moved to accept the report subject to individual reservations which are annotated in this transmittal below. The Committee voted as follows:

Elsie Howard, Visitors and Convention Authority	absent
Stuart Blumberg, Greater Miami and the Beaches Hotel Association	yes
Michael Milberg, Chair of Miami Beach Chamber of Commerce	yes
David Kelsey, South Beach Hotel and Restaurant Association	no
Bill Talbert, GMCVB Liaison – appointed by GMCVB	yes
Doug Tober, SMG	yes

The Committee members expressed reservations over specific aspects contained in the report and this transmittal should be read in conjunction with the individual comments, summarized below and attached in complete form.

The Steering Committee members emphasize the following:

Mr. Blumberg

Affirmed the answers to the scope of services requested of the Consultants in the RFP had been answered.

Can CVB, based on consultant's professional findings, continue to function with existing or decreased funding? GMCVB is competing with major destinations and to the extent

March 5, 2004 ERA Steering Committee Report Page 3 of 4

you diminish budget, you diminish its ability to compete. To extent you increase funding then you improve ability to compete. But it is up to City how much to allocate to the three (3) needs as set forth by the Consultant. Recommendation is that the best model is to increase funding to remain competitive.

Mr. Kelsey

Concerned over the failure of report to identify tourism needs of South Beach and Miami Beach; without which it **he cannot support** recommendation that Bureau is effective in meeting the marketing needs of Miami Beach. Until the assessment of needs is determined for Miami Beach, the funding and best vehicle for its use cannot be determined.

Concerned that that there is no comparison or reference to our major local competitors: Key West and Ft. Lauderdale.

Agrees with report that South Beach and Miami Beach have need and desire to be marketed as "destination" on their own, in parallel with Bureau's effort to market Miami-Dade "region", but disagrees with report recommendation that such marketing should take place only after visitor has arrived in region (as almost all hotel bookings are done **prior** to arrival).

Does not support report suggestion that creating new city tourism department is only way to develop local marketing effort. Believes separate and independent private Miami Beach marketing entity, directed by local hospitality industry, is best for leisure travel tourism marketing of South Beach and Miami Beach.

Agrees with report recommendation to maintain tourism development funding at current or higher levels, but suggests that a reallocation of funding now going to Bureau may be needed to fund local marketing effort. Analogies that South Beach is to the Miami-Dade "region" what Disney World is to Orlando "region", and needs to be recognized and promoted as such. South Beach (and Miami Beach) should have an independent marketing effort as a "destination", just as Disney World markets itself as a "destination" independent of Orlando's county-wide efforts.

In summary and conclusion, believes report to be of questionable value to Miami Beach due to numerous mis-statements, omissions, unfounded assumptions and assertions, as well as errors. Same for visitor market study. Mr. Kelsey does not accept the report because it fails to address key issue of Miami Beach/South Beach tourism needs and broader question cannot be properly answered without the benefit of this needs assessment.

Mr. Milberg

What is not in report is what is the sacrifice cost to fund the parallel services, if performed by the City or is there going to be more costs to achieve the same result?

The interview quotes (of the community) and verbal representations of the interviews by the Consultants point out the difference between perception and fact; and should not be discounted.

March 5, 2004 ERA Steering Committee Report Page 4 of 4

An open community process in creating a Strategic Plan facilitated by the VCA would allow for everyone to have an equal opportunity to participate in recommending concepts and ideas in formulating a Strategic Plan to the City Administration to monitor the GMCVB's execution

Bill Talbert

The ERA Report puts to rest once and for all, that the Bureau is the best model to sell Miami Beach and the Greater Miami Convention & Visitors Bureau (GMCVB) is doing a good job selling Miami Beach.

With that said, we agree with the overall report and the majority of findings, but obviously with any lengthy report, we do not necessarily agree with every finding.

Elsie Howard

Report deals with GMCVB and City to exclusion of what VCA does with respect to providing the City with product development and community education.

It was an honor and privilege to serve the City and each member is available to answer any questions you might ask.

Sincerely, The Steering Committee

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From:

Jorge M. Gonzalez City Manager

City Manage

Subject: REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS

COMMITTEE MEETING HELD ON MARCH 22, 2004

A meeting of the Neighborhood / Community Affairs Committee was held on March 22, 2004 at 3:30 p.m. in the City Manager's Large Conference Room. Commissioners in attendance: Simon Cruz, Saul Gross, and Richard Steinberg. City staff in attendance: Robert Parcher, City Clerk; Donald Papy, Chief Deputy City Attorney; Barbara Hawayek, Neighborhood Services. Others in attendance are listed in the attached signin sheet.

Confirmed Commissioner Simon Cruz as Chairperson and Commissioner Saul Gross as vice-Chairperson for this committee.

OLD BUSINESS

1. DISCUSSION REGARDING AN ORDINANCE AMENDING MIAMI BEACH CITY CODE CHAPTER 2, ARTICLE III "AGENCIES, BOARDS AND COMMITTEES," SECTION 2-22(5) THEREOF ESTABLISHING TERM LIMITS OF BOARD AND COMMITTEE MEMBERS, BY PROVIDING THAT SAID TERM LIMITS SHOULD NOT INCLUDE TIME SERVED AS A RESULT OF HAVING FILLED A VACANCY; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Item deferred to the next Neighborhood/Community Affairs Committee meeting at the request of Commissioner Bower (not present).

NEW BUSINESS

2. <u>DISCUSSION REGARDING THE USE OF CHANNEL 20 TO BROADCAST PUBLIC SERVICE ANNOUNCEMENTS.</u>

Item discussion included Commissioners Garcia, Gross, and Steinberg. Additional participation from Bob Parcher, Don Papy, and Kevin Garrity.

Action: The Committee directed the Administration to produce a piece on AIDS prevention, consulting with those that are aware on this issue, ensuring that the message is clear and that the administration produce the video to be aired on channel 20.

Agenda Item <u>C6C</u>

Date <u>Y-1Y-0Y</u>

3. <u>DISCUSSION REGARDING ADDITIONAL CRITERIA BE ADDED TO EXISTING CITY'S HUMAN RIGHTS ORDINANCE.</u>

Item discussion included Commissioners Garcia, Cruz, and Steinberg. Additional participation from Heddy Pena, Don Papy, Karen Doering, Juan Jover, Rajindra Narinesingh, Kevin Garrity, Stratton Pollitzer, and Robert Parcher.

Item comprised of three sections discussed individually:

- a. To expand the current domestic partner registry to include all Miami Beach residents, not just its employees and further to have the City Clerk's office carry out the responsibility of issuing to those who qualify a certificate acknowledging domestic partnership.
- b. To include the transgender community in our anti-discrimination language, which is not currently defined in the City's Charter.
- c. Request that the City's vendors and/or contractors honor the human rights ordinance and to incorporate this legislation for all who reside or do business within the City of Miami Beach.

Action:

- a. The committee directed a review of a domestic partner registry model ordinance, for the City Attorney's Office to circulate this model prior to the next meeting to address any comments as they relate to our municipality, and then bring back for further discussion.
- b. The committee directed to bring this item back for further discussion to include the recommended definitions of gender for the charter and the longer version for the ordinance at the same time as the registry item above.
- c. The committee directed to bring this item back for further discussion along with some parameters for this ordinance to be carried out.

Attachments
JMG/RCM/VRG/rfm



NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE CITY OF MIAMI BEACH

MARCH 22, 2004

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX /EMAIL
Ken Ahonen	Democrate Lesbian + Gay 305-538-1515 Ken Ahoven @	305-538-1515	Ken Ahoven @ the -
Juan Jover	Gay + Leshan Leadership Council 305-538-1515	305-538-1515	Juan Jover @ the
Stratton Blitzen	Fouality Floring	1609-789-186	STRATTONG COFLORG
Kerin Gogaiky	South Beach AxDS	305-539-1033	GAGGALE CORG
For FRANCIS	City Chak	6299	Wignisageness Col
Marie - Claire Hardy	Gby Clerk	6299	Marie-Clarie Hardy@
BARBARA HAWAYSh	NSD		brokenshipmenth (2)
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NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE CITY OF MIAMI BEACH

MARCH 22, 2004

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX /EMAIL
KAJINDRA NARINESTNIH	ACTEUESF	305-693-5755	
KAREN DOERING	NATIL CENTER FOR LESGIAN ROYES	813/873.2357	doering@nelnights.or
Heddy Pere	SAVE Dade	305751-7283 heddy@ Savedode	heddy@ Saved
Polust Parch	Clay clerk	112-567-708	s.
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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

Accept the City Manager's Recommendation Relative to the Ranking of Firms Pursuant to RFQ No. 68-02/03 for the Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and Award and Construction Administration Services for the City Center Right of Way Infrastructure Improvement Project.

ssue:

Shall the City Commission accept the City Manager's recommendation related to the ranking of firms and authorize negotiations?

Item Summary/Recommendation:

On September 10, 2003, the City Commission authorized the issuance of a RFQ to solicit the qualifications from professional firms with the capability and experience to provide professional engineering, urban design, and landscape architecture services for planning, design, bid and award, and construction administration of urban streetscape improvements in the City Center Neighborhood in Miami Beach.

RFQ No. 68-02/03 was issued on September 18, 2003 with an opening date of October 24, 2003. The City received responses from the following 7 firms:

- Carney Neuhaus, Inc.
- Chen and Associates
- EAC Consulting, Inc.
- Edwards and Kelcey
- Keith and Schnars, P.A.
- R. J. Behar & Company, Inc.
- URS

The City Manager, via Letter to Commission (LTC) No. 288-2003, appointed an Evaluation Committee ("the Committee"). Consensus at the end of the 1st Evaluation Committee meeting was to invite all seven (7) firms to provide a 15 minute presentation, followed by a 15 minute question and answer session.

During deliberations at the 2nd Evaluation Committee meeting, the Committee members discussed their individual ranking of the three firms and arrived at the following Committee ranking:

- First: Chen and Associates
- Second: EAC Consulting, Inc.
- Third: Edwards and Kelcey

The firm of Chen and Associates, was deemed to be the first ranked firm based on the experience and qualifications of their team.

ACCEPT THE MANAGER'S RECOMMENDATION AND AUTHORIZE NEGOTIATIONS

Advisory Board Recommendation:

Financial Information:

Source of		Amount	Account	Approved
Funds:	1			
	2			
	3			
	4			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Gus Lopez

Sian-Offs:

Department Director	Assistant City Manager	For City Manager	
GLTH	RCM	JMG_Jang	

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AGENDA ITEM <u>C7A</u>

DATE <u>4-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



Date: April 14, 2004

COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF MANAGER PERTAINING TO THE RANKING OF QUALIFICATIONS RECEIVED **PURSUANT** TO REQUEST QUALIFICATIONS (RFQ) NO. 68-02/03, FOR THE ENGINEERING, URBAN DESIGN, AND LANDSCAPE ARCHITECTURE FOR PLANNING, DESIGN, BID AND AWARD AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE CITY CENTER RIGHT OF WAY INFRASTRUCTURE IMPROVEMENT PROJECT; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF CHEN AND ASSOCIATES; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRM. AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE SECOND-RANKED FIRM OF EAC CONSULTING, INC.; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM, FURTHER AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE THIRD-RANKED FIRM OF **EDWARDS AND KELCEY.**

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The City Center Right of Way Infrastructure Improvement Project (the "Project") is a \$16 million infrastructure project which includes the restoration and enhancement of an urban (residential and commercial) neighborhood's hardscape, including roadway, sidewalk, curb and gutter, landscape, streetscape irrigation, lighting, potable water, and storm drainage infrastructure as needed. This project is funded through City Center Tax Increment Funds.

The purpose of the Project is to provide for the restoration and enhancement of streetscapes and infrastructure, consistent with existing available master plans, qualified decisions of applicable City Departments and community preferences. The proposed Project will include potable water, and storm drainage infrastructure upgrades, streetscape work with restoration and enhancement of the neighborhood's hardscape, landscape, streetscape irrigation and lighting, potable water, and storm drainage infrastructure as needed. At this point, sanitary sewer upgrades are not anticipated as part of the Project.

Commission Memo
RFQ 68-02/03 - Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and Award and Construction Administration Services for the City Center Right of Way Infrastructure Improvement Project
April 14, 2004
Page 2 of 8

ANALYSIS (Continued)

The selected Architectural and Engineering Firm ("Consultant") shall perform a variety of forensic and community planning tasks that will culminate in the creation of a Basis of Design Report (BODR) for the Project area. The BODR serves as the definitive Master Plan for all proposed improvements.

Improvements may include restoration and enhancement to the function and aesthetics of the following:

- Upgrading the stormwater drainage collection and disposal system to meet City Stormwater Master Plan recommendations.
- Repair or replacement of existing water mains to meet City Water Master Plan recommendations.
- Street resurfacing and new pavement markings.
- Swale restoration, and/or curb and gutter restoration or upgrades.
- Repair, extension, or widening of sidewalks and crossing ramps to provide continuous, ADA-Title III compatible separated pedestrian ways.
- Installation of new pedestrian-scale street lighting and/or upgrade of existing lighting to correct deficiencies where needed.
- Providing enhanced landscaping, development of additional areas for planting opportunities, and new / enhanced irrigation to support such plantings within the street right-of-way, as consistent with community and City staff preferences.
- Improving of street-ends with lighting, landscaping, fencing, and/or parking, where appropriate.
- Physical and/or operational improvements to local streets for the purposes of beautification, traffic calming and increasing alternative transportation routes including pedestrian and non-motorized vehicles.

Commission Memo
RFQ 68-02/03 - Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and Award and Construction Administration Services for the City Center Right of Way Infrastructure Improvement Project
April 14, 2004
Page 3 of 8

ANALYSIS (Continued)

The work effort will require that all aboveground improvements will be coordinated with existing and proposed aboveground and below underground infrastructure improvements, which may include the following tasks:

- Upgrading the drainage collection system.
- Repair or replacement of water mains and sanitary sewer lines.
- Limited coordination with other entities, including but not limited to, Florida Power and Light Company, BellSouth, Charter Communications and their vendors, for the relocation of above ground utilities to below ground locations within the Project's Right of Way. This applies specifically to Special Assessment District petitions filed by residents and accepted by the City Commission.

The estimated budget for this project is \$16,069,350. The estimated construction budget for the project is \$12,173,750. This estimated construction total includes \$6,577,500 for Streetscape; \$4,296,250 for Stormwater Improvements; and \$1,300,000 for Water Improvements.

On September 10, 2003, the City Commission authorized the issuance of a RFQ to solicit the qualifications from professional firms with the capability and experience to provide professional engineering, urban design, and landscape architecture services for planning, design, bid and award, and construction administration of urban streetscape improvements in the City Center Neighborhood in Miami Beach.

RFQ No. 68-02/03 was issued on September 18, 2003 with an opening date of October 24, 2003. A pre-proposal conference to provide information to firms considering submitting a response was held on October 2, 2003. BidNet issued bid notices to 78 prospective proposers, resulting in 43 proposers requesting RFQ packages, which resulted in the receipt of the following seven (7) proposals from:

- Carney Neuhaus, Inc.
- Chen and Associates
- EAC Consulting, Inc.
- Edwards and Kelcey
- Keith and Schnars, P.A.
- R. J. Behar & Company, Inc.
- URS

Commission Memo
RFQ 68-02/03 - Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and
Award and Construction Administration Services for the City Center Right of Way Infrastructure
Improvement Project
April 14, 2004
Page 4 of 8

ANALYSIS (Continued)

The City Manager, via Letter to Commission (LTC) No. 288-2003, appointed an Evaluation Committee ("the Committee") consisting of the following individuals:

- Gary Knight, Collins Park Neighborhood Association (Committee Chair)
- Eileen Ugalde, Assistant to President, Vice-President Government Affairs, University of Miami
- Donald Kipnis, CEO, Miller and Solomon
- Mauro Burgio, Capital Improvement Office, Project Manager
- Ada Llerandi, Property Owner, member of Cultural Arts Council
- Reuben Caldwell, Planning Department
- Kent Bonde, RDA City Center Coordinator

Ms. Eileen Ugalde and Mr. Donald Kipnis were removed from the committee due to their unavailability. The City Manager appointed the following committee members to take the place of Ms. Ugalde and Mr. Kipnis: Mr. Jonathan Breene, Setai Hotel Developer; and Mr. Micheli Grendene, Owner of Casa Tua Restaurant.

On February 9, 2004, the Committee convened. Committee members Mauro Burgio and Michele Gredene were not present at this meeting, but a quorum of the Committee was present. The Committee was provided information on reference to the Project by Ronnie Singer, CIP Community Information Manager. Additionally, the Committee reviewed references secured by the Procurement staff, and discussed the following RFQ evaluation criteria as per Section 287.055, Florida Statutes known as the Consultant's Competitive Negotiation Act (CCNA):

- The ability of professional personnel;
- Past performance;
- Willingness to meet time and budget requirements;
- Location;
- Recent, current, and projected workloads of the firms:
- The volume of work previously awarded to each firm by the agency, with the object
 of effecting an equitable distribution of contracts among qualified firms, provided
 such distribution does not violate the principle of selection of the most highly qualified
 firms.

The Committee's consensus at the end of the meeting was to invite all seven (7) firms to provide a 15-minute presentation, followed by a 15-minute question and answer session.

The Procurement staff coordinated and scheduled presentations for March 5, 2004. On this date the Committee members convened and were provided presentations by all seven (7) firms. One Committee member, Michele Gredene, was unable to attend the meeting and consequently unable to rank the firms.

Commission Memo
RFQ 68-02/03 - Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and
Award and Construction Administration Services for the City Center Right of Way Infrastructure
Improvement Project
April 14, 2004
Page 5 of 8

ANALYSIS (Continued)

After the firms' presentations, the Committee members discussed at length their individual perceptions of the qualifications, experience, and competence of all the seven (7) firms and then ranked the firms accordingly:

Company Name	Gary	Ada	Mauro	Reuben	Jonathan	Kent
	Knight	Llerandi	Burgio	Caldwell	Breene	Bonde
Chen and Associates (1)	95	89	97	98	91	92
	(1)	(1)	(1)	(1)	(2)	(1)
EAC Consulting, Inc.	93	88	74	94	94	87
(2)	(2)	(2)	(2)	(2)	(1)	(2)
Edwards and Kelcey (3)	85	85	61	86	70	85
	(3)	(3)	(4)	(5)	(4)	(3)
URS (4)	70	81	72	91	64	84
	(4)	(5)	(3)	(4)	(5)	(4)
Keith and Schnars, P.A.	65	79	61	92	83	80
(5)	(5)	(7)	(4)	(3)	(3)	(6)
Carney Neuhaus, Inc.	65	84	56	83	59	83
(6)	(5)	(4)	(5)	(6)	(6)	(5)
R. J. Behar & Company, Inc.	65	80	52	86	57	84
(7)	(5)	(6)	(6)	(5)	(7)	(4)

LEGEND:

Chen & Associates – 5-1st place votes = 5x1=5

1-2nd place vote = 1x2=2

TOTAL = 7 = Ranked 1st

EAC Consulting, Inc. - 1-1st place vote = 1x1=1

5-2nd place votes = 5x2=10

TOTAL = 11=Ranked 2nd

Edwards and Kelcey - 3-3rd place votes = 3x3=9

2-4th place votes = 2x4=81-5th place vote = 1x5=5

TOTAL = 22 =Ranked 3rd

Commission Memo
RFQ 68-02/03 - Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and
Award and Construction Administration Services for the City Center Right of Way Infrastructure
Improvement Project
April 14, 2004
Page 6 of 8

ANALYSIS (Continued)

The firm of Chen and Associates was deemed to be the first ranked firm based on the experience and qualifications of their team. Chen and Associates possess vast experience in the planning, design, permitting and construction administration of infrastructure redevelopment projects in South Florida. The Company's experience includes projects completed within the last two years for Broward County, City of North Miami Beach, City of Dania Beach, City of Margate's Community Redevelopment Agency and many other entities. All these projects have been successfully completed with aggressive timeframes, multiple funding sources and complex existing infrastructure.

In addition to Chen and Associates, the team is comprised of three highly specialized, nationally recognized firms. Civic Design Consultants will offer their experience and expertise in urban planning and streetscaping to help coordinate the variety of public and private redevelopment occurring in and around the City Center Neighborhood. The TBE Group has expertise in surveying, subsurface utility engineering and coordination which will be applied to address the congested corridors and many existing utilities. Kittelson and Associates lends its nationwide research and engineering expertise in traffic calming and traffic engineering to address the pedestrian/vehicular crossings and the mass transit routing and signalization that runs through the area.

Chen and Associates will offer the following to the City of Miami Beach:

- · Community based design team approach.
- Vast experience in urban infrastructure redevelopment.
- Past and present high profile project experience gathered through the continuous projects performed throughout South Florida.
- Experienced in Public participation/Meetings.
- Strong track record of successfully completing projects within budget and time schedule.
- Extensive experience in facilitating public meetings.

RELATED EXPERIENCE PRINCIPAL-IN-CHARGE/PROJECT MANAGER

Dr. Ben H. Chen, P.E.

Dr. Ben H. Chen, P.E. has over 30 Years of Experience in addition to his two advanced civil engineering degrees. Dr. Chen has been involved in literally hundreds of projects throughout the United States and the Caribbean. Additionally he has provided the following:

 Over 32 years of engineering experience providing water and wastewater treatment facilities design and construction management, facilities planning, environmental studies, utilities master planning, rate and financial studies: Commission Memo
RFQ 68-02/03 - Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and
Award and Construction Administration Services for the City Center Right of Way Infrastructure
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Page 7 of 8

ANALYSIS (Continued)

- 12 Years of Neighborhood Redevelopment Experience;
- National and Municipal/Agency Infrastructure design experience:
 - Broadview Park Neighborhood Improvement Project Basis of Design Report, Broward County Office of Environmental Services
 - Broward County Central Neighborhood Improvement Project Basis of Design Project, Broward County Office of Environmental Services
 - Proud Neighborhoods Capital Improvements Projects, City of North Miami Beach, Florida
 - Post 911 Mapping Services for the City of New York
 - Traffic operations in Washington, D.C.
 - Urban Roadway Beautification for the City of Detroit, Michigan

The following references were secured by the Procurement staff for Chen and Associates.

Ms. Zully Williams, Project Manager General Environmental Engineering Services Village of Isla Morada

"Excellent firm to work with, their staff is always able to meet or needs in a very timely manner."

Mr. Pat McGregor, Project Manager

Broadview Park Neighborhood Improvement Project Basis of Design Report Broward County Office of Environmental Services

"The BODR is completed and we are negotiating design and construction management services. Additionally, Chen and Associates provides the best customer service of the four Consultants I am presently using."

Mr. Hiep Huynh, Project Manager Proud Neighborhoods Capital Improvements Projects City of North Miami Beach

"Chen and Associates has been retained to provide continuing design services for the City of North Miami Beach's future projects."

Furthermore, during the Chen and Associates presentation on March 5th, 2004, Dr. Chen made a pledge of his personal commitment to the project by stating that, if selected, he would open a local office and relocate to Miami Beach, giving up some of his daily management responsibilities in the firm to become personally involved in the City Center project. Although not a part of the evaluation criteria, Dr. Chen's statement was considered by the committee as an indication of his high level of commitment.

Commission Memo
RFQ 68-02/03 - Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and Award and Construction Administration Services for the City Center Right of Way Infrastructure Improvement Project
April 14, 2004
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CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the attached resolution which requests to accept the City Manager's recommendation pertaining to the ranking of qualifications received pursuant to Request for Qualifications (RFQ) No. 68-02/03, for the Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and Award and Construction Administration Services for the City Center Right of Way Infrastructure Improvement project; authorizing the Administration to enter into negotiations with the top-ranked firm of Chen and Associates.; and should the Administration not be able to negotiate an agreement with the top ranked firm, authorizing the Administration to negotiate with second-ranked firm of EAC Consulting, Inc.; and should the Administration not be able to negotiate an agreement with the second-ranked firm, further authorizing the Administration to negotiate with the third-ranked firm of Edwards and Kelcey.

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RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF QUALIFICATIONS RECEIVED PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) NO. 68-02/03, FOR THE ENGINEERING, URBAN DESIGN, AND LANDSCAPE ARCHITECTURE FOR PLANNING. DESIGN, BID AND AWARD, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE CITY CENTER RIGHT OF WAY INFRASTRUCTURE **IMPROVEMENT** PROJECT: **AUTHORIZING** ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF CHEN AND ASSOCIATES; SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRM, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE SECOND-RANKED FIRM OF EAC CONSULTING, INC.; AND SHOULD ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM, AUTHORIZING THE ADMINISTRATION NEGOTIATE WITH THE THIRD-RANKED FIRM OF EDWARDS AND KELCEY.

WHEREAS, on September 10, 2003, the City Commission authorized the issuance of an RFQ No. 68-02/03 to solicit qualifications from professional firms with the capability and experience to provide professional engineering, urban design, and landscape architecture services for planning, design, bid and award, and construction administration of urban streetscape improvements in the City Center Neighborhood in Miami Beach (the RFQ); and

WHEREAS, the estimated budget for the project referenced in the RFQ is \$16,069,350 and the estimated construction budget is \$12,173,750, which is appropriated as follows: Streetscape, \$6,577,500; Stormwater Improvements, \$4,296,250; and Water Improvements, \$1,300,000; and

WHEREAS, RFQ No. 68-02/03 was issued on September 18, 2003 with an opening date of October 24, 2003; and

WHEREAS, seven (7) proposals were received in response to the RFQ, by the following firms:

- Carney Neuhaus, Inc.;
- Chen and Associates:
- EAC Consulting, Inc.;
- Edwards and Kelcey;
- Keith and Schnars, P.A.;
- R. J. Behar & Company, Inc.;
- URS; and

WHEREAS, an Evaluation Committee was appointed by the City Manager via Letter to Commission (LTC) No. 288-2003 consisting of the following individuals:

- Gary Knight, Collins Park Neighborhood Association (Committee Chair);
- Eileen Ugalde, Assistant to President, Vice-President Government Affairs, University of Miami;
- Donald Kipnis, CEO, Miller and Solomon;
- Mauro Burgio, Capital Improvement Office, Project Manager;
- Ada Llerandi, Property Owner, member of Cultural Arts Council;
- Reuben Caldwell, Planning Department;
- Kent Bonde, RDA City Center Coordinator; and

WHEREAS, the City Manager appointed the following committee members to take the place of Ms. Ugalde and Mr. Kipnis due to their unavailability: Mr. Jonathan Breene, Setai Hotel Developer; and Mr. Micheli Grendene, owner of Casa Tua Restaurant; and

WHEREAS, on February 9, 2004, the Committee convened and discussed the qualifications and credentials of all seven firms, and consensus at the end of the meeting was to invite all respondents to provide a 15 minute presentation, followed by a 15 minute question and answer session; and

WHEREAS, the Committee reconvened on March 5, 2004 for the 2nd Evaluation Committee meeting; the Committee members discussed their individual ranking of all the firms and ranked the top three firms accordingly:

- First: Chen and Associates;
- Second: EAC Consulting, Inc.;
- Third: Edwards and Kelcey; and

WHEREAS, the City Manager has reviewed the Evaluation Committee's recommendation, and herein recommends that the Mayor and City Commission accept the Committee's recommendation, relative to the ranking of firms pursuant to RFQ No. 68-02/03 for the Engineering, Urban Design, and Landscape Architecture for Planning, Design, Bid and Award, and Construction Administration Services for the City Center Right of Way Infrastructure Improvement Project, and enter into negotiations with the first-ranked firm of Chen and Associates; if unsuccessful, negotiate with the second-ranked firm of EAC Consulting, Inc.; and if unsuccessful, negotiate with the third-ranked firm of Edwards and Kelcey.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission accept the recommendation of the City Manager pertaining to the ranking of firms pursuant to RFQ No. 68-02/03; further authorize the Administration to enter into negotiations with the top-ranked firm of Chen and Associates; should the Administration not be able to negotiate an Agreement with the top-ranked firm, authorize the Administration to negotiate with the second-ranked firm of EAC Consulting, Inc.; and, should the Administration not be able to negotiate an Agreement with the second-ranked firm, authorize the Administration to negotiate with the third-ranked firm of Edwards and Kelcey.

	PASSED and ADOP	ED this day o	of	, 2004.	
ATTEST:					
			MAYOR		
CITY CLEF	RK				

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF FIRMS FOR PUBLIC RELATIONS SERVICES AND MARKETING AND COMMUNICATIONS CONSULTING SERVICES; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF SUSAN BRUSTMAN & ASSOCIATES.

Issue:

SHALL THE CITY COMMISSION ACCEPT THE RANKING OF FIRMS AND AUTHORIZE NEGOTIATIONS?

Item Summary/Recommendation:

ON NOVEMBER 25, 2003, THE CITY COMMISSION ADOPTED RESOLUTION 2003-25411, WHICH AUTHORIZED THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) TO SOLICIT PROPOSALS TO PROVIDE PUBLIC RELATIONS SERVICES, AND MARKETING AND COMMUNICATIONS CONSULTING SERVICES.

THE ADMINISTRATION ISSUED A RFP, CONDUCTED A COMPETITIVE PROCESS, AND RECEIVED A RECOMMENDATION FROM AN EVALUATION COMMITTEE, WHICH RECOMMENDED SUSAN BRUSTMAN & ASSOCIATES.

SUSAN BRUSTMAN & ASSOCIATES WAS FOUNDED IN MIAMI, FLORIDA, 19 YEARS AGO. SUSAN BRUSTMAN WILL LEAD THE FIRM'S TEAM AND WILL DETERMINE THE STRATEGY AND DIRECTION FOR THE FIRM'S MARKETING SUCCESS.

ADOPT THE RESOLUTION.

A 411	. D d	D	l 1
Advisor	, Board	Recommer	idation:

N/A

Financial Information:

Source of		Amount	Account	Approved
Funds:	1			
	2			
	3			
	4			
Finance Dept.	Total			

City	Clerk's	Office	Legisi	atıve	i racking:

Max Sklar, ext. 6116

Sign-Offs:

Department Dire	ctor Assistant City Mana	ger City Manager
MS/// GL	CMC CH (JMG Jana
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AGENDA ITEM <u>C//3</u>
DATE <u>4-/4-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF FIRMS PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 9-03/04 FOR PUBLIC RELATIONS SERVICES AND MARKETING AND COMMUNICATIONS CONSULTING SERVICES FOR THE CITY OF MIAMI BEACH; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF SUSAN BRUSTMAN AND

ASSOCIATES.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

As part of the Greater Miami Convention and Visitors Bureau (GMCVB) review and renewal, the City Commission agreed to have the City engage a publicist to compliment the GMCVB effort but with a focus on Miami Beach. Funding was included in the amount of \$100,000 in the Fiscal Year 2002/03 Budget. Of this \$100,000, \$25,000 was already spent to contract Motivus, Inc. for short-term Marketing and Communications services for the City prior to the issuance of Request for Qualifications (RFQ) No. 15-02/03 for public relations services and marketing and communications consulting services. Additionally, another \$25,000 was contracted to AMS Planning and Research, Corp. to conduct a Cultural Facilities Master Plan for the City. The remaining \$50,000 was available for the issuance of the RFQ.

On December 11, 2002, the City Commission adopted Resolution No. 2002-25076, which authorized the issuance of an RFQ to solicit qualifications for public relations services, and marketing and communications consulting services. Subsequently, on April 30, 2003, the City Commission adopted Resolution No. 2003-25179 accepting the recommendation of the City Manager pertaining to the ranking of proposals received pursuant to RFQ No. 15-02/03 and authorized the administration to enter into negotiations with the top-ranked firm of Kelley Swofford Roy, Inc. (KSR) for the aforementioned services.

The Administration determined that it was vital for KSR to begin its work immediately, as

Commission Memo RFP 9-03/04 – Public Relations Services, Marketing and Communications Consulting Services April 14, 2004 Page 2 of 9

there were only three (3) months left in the fiscal year. Therefore, the City executed an agreement between the City and KSR for a fee of twenty four thousand nine hundred ninety-nine dollars (\$24,999.00) and an additional twenty five thousand dollars (\$25,000.00) subject to approval by the City Commission. The Administration negotiated with KSR to provide a brand identity platform for the City and for strategic communication and marketing assistance, which was an element of the scope of services in the RFP, and on July 30, 2003, the City Commission adopted Resolution No. 2003-25283, which approved an agreement with KSR.

KSR began the strategy development for the City's brand identity platform, which included research and interviews, participation in the City's wayfinding program, logo design, creative branding, presentations and branding campaigns. KSR also worked with the City's Tourism and Cultural Development Department on other marketing initiatives. KSR received approximately \$38,000.00 for this work, which represents over 500 work hours.

Throughout this process KSR defined the audience and developed a creative strategy. Presentations of the branding concepts were then made to staff at several intervals during the process. Staff evaluated the conceptual approaches and commented on the concepts, but was generally dissatisfied with the proposals. Subsequently, a meeting was convened with representatives from the selection committee to review the branding concepts presented by KSR and to solicit their feedback. Staff remained unsatisfied with the branding concepts and, consequently, did not accept them.

Staff had determined that a company with proven experience in developing, implementing and managing public relations programs for tourism, cross promotional brand and niche marketing activities, and with proven relationships and experience with local and national media outlets, including trade and business publications, multi-cultural and consumer lifestyle is what the city needs. The Administration did not feel KSR met these requirements and, therefore, had not exercised the renewal option with KSR.

On November 25, 2003, the City Commission adopted Resolution No. 2003-25411, which authorized the issuance of a Request for Proposals (RFP) to solicit proposals to provide public relations services and marketing and communications consulting services.

RFP PROCESS

On December 10, 2003, RFP No. 9-03/04 was issued and notices sent to 70 individuals or firms, which resulted in the receipt of three qualifications packages (one was late and was disqualified) from the following firms:

- 1) Susan Brustman and Associates;
- 2) Edelman; and
- 3) Harrison & Shriftman (non-responsive submitted late).

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The RFP stated that any proposal received after 3:00 p.m. on January 16, 2004, would be returned to the proposer unopened. The proposal from Harrison & Shriftman was returned unopened since it was received after said date and time.

On January 30, 2004, the City Manager via Letter to Commission No. 031-2004 appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

- 1. Lisa Cole, Senior VP Public Relations Fontainebleu Hotel
- 2. Jose Lima, Director of Tourism Village of Bal Harbour
- 3. Ruth Remington, Writer and City of Miami Beach Resident
- 4. Alfredo Richard, Sr. VP Communications Claxson
- 5. Octavio (Joe) Zubizarreta, CEO Zubi Advertising.

Alfredo Richard, Sr. VP of Claxson Communications, was appointed as Chair of the Committee.

On February 25, 2004, Edelman informed Procurement, both verbally and in writing, they no longer wanted to be considered for this project, requested to withdraw their proposal and subsequently canceled their plans to present to the Committee on March 2.

As the RFP Procedures indicate proposals are irrevocable for 120 days from the opening without a contract award, Edelman was informed their proposal would still be considered and ranked. On March 2, twenty minutes prior to the Committee meeting, Edelman submitted a written request indicating they again wanted their firm to be considered and arrangements were made for their presentations to be emailed and a conference call during the Committee meeting was established.

The Committee convened On March 2, 2004 and was provided with an overview of the project, information relative to the City's Cone of Silence Ordinance, and the Government in the Sunshine Law. The Committee then listened to a presentation from Susan Brustman and Associates. After the presentation the Committee engaged in a question and answer session. During the presentation, an e-mail was received in Procurement indicating Edelman once again wanted to withdraw and would not be calling in to the Committee.

While the Committee believed that Edelman could have provided the national and international exposure from an outside view of Miami Beach, their lack of presentation and changes of intention to participate all but eliminated them. On the other hand, Susan Brustman and Associates demonstrated a greater understanding of the Miami Beach product and provided a creative approach to meet the City's communication and marketing needs.

The Committee questioned the lack of responsive bids and felt the scope of services was too broad and should be better defined to reflect the City's priority needs, commensurate with the funding allocated, and to perhaps encompass the top three target industry segments. The Committee recommended they be invited back to reconvene and assist in

the redevelopment of the scope of services, which they believed lacked direction, prior to contract negotiation.

The Committee was instructed to rank and score each proposal pursuant to the evaluation criteria established in the RFP, which was as follows (total possible 105 points):

- a. Writing Assignment One 90 Day Sample Activity Report (20 points)
 To be presented during in-person creative demonstration
- Writing Assignment Two Proposed Target Media List of Journalists
 (20 points) To be presented during in-person creative demonstration
- c. Addressing what the Proposer "Can do" for the City; What sets them apart; What is value-add? (10 points) To be presented during in-person creative demonstration
- d. Creative ideas on press releases relative to the City's new press kit. (5 Points)
 To be presented during in-person creative demonstration
- e. Creative Ideas on helping the City Promote the Restaurants in Miami Beach. (5 points) To be presented during in-person creative demonstration
- f. Experience and qualifications (25 points)
- g. Demonstrated record of accomplished work in public relations or as a publicist (10 points).
- h. Proposed fees (10 points).

The Committee then scored and ranked the firms as follows:

COMMITTEE MEMBER	SUSAN BRUSTMAN & ASSOC. SCORE	RANKING	EDELMAN SCORE	EDELMAN RANKING
LISA COLE	76	1 st	40	2 nd
JOSE LIMA	83	1 st	45	2 nd
RUTH REMINGTON	75	1 st	40	2 nd
ALFREDO RICHARD	80	1 st	33	2 nd
OCTAVIO "JOE" ZUBIZARETTA	84	1 st	40	2 nd

The Committee ranked Susan Brustman and Associates number one (1). They were the only firm to present, with the highest score being 84 out of a possible 105. As Edelman did not present, they fell short 65 out of 105 potential evaluation points due to no demonstration and expressing their desire to withdraw. In addition, as noted above, the

Commission Memo RFP 9-03/04 – Public Relations Services, Marketing and Communications Consulting Services April 14, 2004 Page 5 of 9

team felt the scope quite broad to adequately cover in the parameters provided, and suggested the scope of services be streamlined prior to negotiations taking place.

A summary Susan Brustman and Associates qualifications, the proposed team and similar projects is attached hereto.

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the attached resolution, which recommends the acceptance of the ranking of firms, and authorizing the Administration to enter into negotiations with the top-ranked firm of Susan Brustman & Associates.

The Administration reviewed and agreed with the comments of the Evaluation Committee respective to the scope of services and will redevelop a refined scope of services as part of the negotiation process with the top-ranked firm. The Committee will be consulted during this process to ensure their sentiments are addressed.

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SUSAN BRUSTMAN & ASSOCIATES PROPOSED TEAM

Susan Brustman - Founder & President

Susan Brustman has 15 years of newsroom and journalistic experience and 25 years of public relations experience to the agency she founded in 1985. In the mid-60s she cofounded the Los Angeles Free Press. In the 1970s, Ms. Brustman was a freelance writer, affiliated with New York Magazine and Time-Life. Relocating to South Florida in the early 1980s, she served as an account executive with the acclaimed public relations agency, Hank Meyer Associates.

Ms. Brustman serves on the board of the American Institute of Wine & Food and for the past two years has been director of the Greater Miami Convention & Visitors Bureau PR task force.

Lawrence Carrino – Senior Account Executive

Lawrence Carrino has been with the firm for 10 years. He oversees account services and consults on client strategies, media relations and campaign development. Mr. Carrino has led publicity, special event and marketing campaigns for restaurant, hospitality and cultural accounts. Past and present clients include The Historical Museum of Southern Florida, The March of Dimes Star Chefs Extravaganza, Miami Wine & Food Festival, Magic City Records, KC and the Sunshine Band, Goldman Properties' Park Central, The Hotel and Wish, and Tantra restaurant & lounge. As a freelance writer, Mr. Carrino has written for *The Miami Herald, Florida International*, and *Restaurant Hospitality* magazine.

Megan Connolly – Broadcast Media Director, Hispanic Liaison

Megan Connolly is formerly affiliated with Gulfstream Park and the New York Racing Association. She has five years of specializing in sports promotions, producing presentation media videos and strategies, appearing on camera and creating targeted regional publicity programs. Ms. Connolly has represented such accounts as The Tides Hotel, the Clinton Hotel, and the Greater Miami Convention & Visitors Bureau' Boutique Hotels Program, overseeing national media FAM tours, and targeted publicity campaigns. She has created cooking segments on Miami-based television affiliates. Most recently, Ms. Connolly supervised Latin media relations and broadcast coverage for Art Miami 2004.

Karen Barofsky - Arts & Special Events Liaison, Head Writer

Karen Barofsky has been the arts and events liaison for Susan Brustman & Associates for 10 years. She began as a writer and event producer with Radio City Music Hall Productions in New York. After Ms Barofsky relocated to Florida, she was the assistant

Commission Memo RFP 9-03/04 – Public Relations Services, Marketing and Communications Consulting Services April 14, 2004 Page 7 of 9

director of Art Center South Florida. Since joining the Brustman team, she has created press materials and overseen arts and tourism accounts, including the EDA/State of Florida grant 67-68, designed to re-brand and bring business and tourism to South Dade, the Everglades and Key Biscayne in the aftermath of Hurricane Andrew. For the past four years, she has served as account executive for Art Miami and has been involved with the firm's special events, hospitality and cultural clients.

Gary Farmer – Cultural Development & Special Events Liaison

In 1986 Gary Farmer opened The Strand restaurant/bar/theater. A former columnist for *GQ* magazine, Mr. Farmer has written for *Harper's Bazaar* and *Art & Auction*. He has done research, writing and development work for the American Cinematheque, the Metropolitan Museum of Art, the Institute for Advanced Study, the American School of Classical Studies, the Miami Film Festival and the Miami Design Preservation League. In the late 1980s, he was nominated for a Cable Ace Award as writer/producer of "Postcards from Miami Beach," a 90-minute WLRN TV special about the past, present and future of the Miami Beach Art Deco District. In 1987, he received the key to the City of Miami Beach for "significantly improving the quality of life in our city."

SUSAN BRUSTMAN & ASSOCIATES CASE HISTORIES

Case Histories

Susan Brustman & Associates represented the Miami Film Festival from 1989 to 1993, they also garnered press coverage for a then-emerging South Beach, where they housed media and presented events for print and broadcast packaging.

The firm secured more than 50 features annually, in publications such as Vogue, Interview Magazine, Screen, Premiere, Film Comment, Conde Nast Traveler, Allure, the Hollywood Reporter, Boston Herald, Dallas Morning News, Atlanta-Journal Constitution, New York Observer, New York Times, New York Daily News, and New York Post. Housing visiting media in hotels on South Beach and setting up events throughout Miami Beach, they garnered electronic news magazine segments and specials on MTV, VH-1, Showtime and The Movie Channel.

In 1993-1995, they introduced Ocean Drive Magazine to the regional and national media marketplace, creating a two-year brand-and-celebrity driven publicity and special event campaign that was positioned to launch the region's new magazine.

Overseeing Ocean Drive's celebrity and model events, they targeted media to attend and cover these events. This resulted in electronic news magazine segments on Entertainment Tonight, Hollywood Access, MTV, local TV outlets; features in The Miami Herald, El Nuevo Herald, Sun Sentinel, Florida Trend, Boca News, Palm Beach Post, Hollywood Reporter, Interview, New York Post, and L.A. Times.

Commission Memo RFP 9-03/04 – Public Relations Services, Marketing and Communications Consulting Services April 14, 2004 Page 8 of 9

In 1994-1996, post-Hurricane Andrew, under the guidance of a State of Florida EDA grant overseen by the GMCVB, the firm was awarded a \$1.5 million, 18-month, public relations and marketing program for the attractions and businesses in South Dade County through the Everglades and the Village of Key Biscayne. Representing that region, they created the campaign "Tropical Miami - the way Florida was meant to be," which included press kits, a video, special events, and media junkets.

Results: a campaign that brought 40-60 features and briefs per month, including coverage in National Geographic, Travel & Leisure, Conde Nast Traveler, American Way, Delta Sky, Hemispheres, Boston Herald, Christian Science Monitor, Wall Street Journal, Food Arts, Esquire, reaching millions of current and prospective destination travelers and consumers. The Tropical Miami campaign raised the region's profile during off-season, via media exposure throughout the state of Florida and Georgia, and cities in South America, venues for off-season South Florida tourism.

Involved in destination public relations since its inception, from 2002-2004, Susan Brustman served as director of the public relations task force of the Greater Miami Convention & Visitors Bureau. The firm also headed the Bureau's Boutique Hotels Program, promoting the hotels and website created by the GMCVB, via a four-month local-international publicity campaign that reached more than six million consumers. They helped brand, create and promote the annual "Miami Spice" restaurant campaign, designed to increase business for local restaurants during the slower August-September time period.

Susan Brustman & Associates Current Clients

A current list of Susan Brustman & Associates clients includes:

- Goldman Properties Miami Beach The Hotel, Wish Restaurant The Park Central
- The Tides & 1220 Restaurant Miami Beach
- Casa Morada Hotel Islamorada
- Art Miami; Avanstar Communications Chicago
- Miami Wine & Food Festival Miami
- Onboard Media: Launch of the Beach Channel Miami Beach
- Sushi Samba dromo Miami Beach
- Timo Restaurant Sunny Isles
- Rumi Restaurant Miami Beach
- Escopazzo Restaurant Miami Beach
- Johnny V Restaurant Ft. Lauderdale
- Roger's Restaurant North Bay Village
- M. Woods Restaurant North Miami

Commission Memo RFP 9-03/04 – Public Relations Services, Marketing and Communications Consulting Services April 14, 2004 Page 9 of 9

Talula Restaurant – Miami Beach

SUSAN BRUSTMAN & ASSOCIATES PROPOSED FEE STRUCTURE

Susan Brustman & Associates has proposed an initial contract term of one (1) year, with a year-to-year renewing option available at the conclusion of the first year.

Their monthly creative retainer is proposed at \$6,000 - \$7,500 per month, depending on time required, plus addendum fees for consultants, affiliates and/or for special project services. No consulting fees will be generated without prior approval from a designated point person at the City of Miami Beach. Their monthly retainer includes secretarial and production fees required to service the City's account.

Out of pocket charges routine to servicing the City's account are proposed to be billed monthly. They include, but are not limited to, photocopies, facsimiles, toll telephone calls, clipping service, photography, photo duplications, graphic design services/printing, mail fulfillment house services, video clips, parking, travel beyond Dade County, materials, postage and deliveries. Any trade discounts from their vendors will, whenever possible, be passed on to the City of Miami Beach.

Any individual monthly out of pocket charge(s) in excess of \$500 shall be submitted for approval from the City. Without approval, these charges will not be incurred.

Susan Brustman & Associates proposal requires all fees and out of pocket expenses be paid within thirty (30) days of receipt of invoice.

The rate quoted requires the first month's fee in advance along with an out of pocket expense deposit of \$1,000, which will be deducted from the final invoice.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF FIRMS PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 9-03/04, FOR PUBLIC RELATIONS SERVICES AND MARKETING AND COMMUNICATIONS CONSULTING SERVICES FOR THE CITY OF MIAMI BEACH, AND AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF SUSAN BRUSTMAN & ASSOCIATES.

WHEREAS, on November 25, 2003 the City Commission adopted Resolution No. 2003-25411, which authorized the issuance of a Request for Proposals to solicit qualifications for public relations services and marketing and communications consulting services (the RFP); and

WHEREAS, on December 10, 2003, RFP No. 9-03/04 was issued and notices sent to 70 individuals or firms, which resulted in the receipt of three qualifications packages (one was late and thus disqualified) from the following firms:

- 1) Susan Brustman & Associates;
- 2) Edelman:
- 3) Harrison & Shriftman (late, returned unopened); and

WHEREAS, on January 30, 2004, the City Manager via Letter to Commission No. 031-2004, appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

- 1. Lisa Cole, Senior VP Public Relations Fontainebleu Hotel
- 2. Jose Lima, Director of Tourism Village of Bal Harbour
- 3. Ruth Remington, Writer and City of Miami Beach Resident
- 4. Alfredo Richard, Sr. VP Communications Claxson
- 5. Octavio (Joe) Zubizarreta, CEO Zubi Advertising; and

WHEREAS, on February 25, 2004 Edelman informed the Administration it no longer wanted to be considered for this RFP; requested to withdraw its proposal; and subsequently canceled its plans to present to the Committee on March 2; and

WHEREAS, the RFP states that proposals are irrevocable for 120 days from the opening without a contract award; Edelman was therefore informed that its proposal would still be considered and ranked; and

WHEREAS, on March 2, 2004, prior to the Committee meeting, Edelman submitted a written request indicating it wanted its proposal to be considered; and arrangements were made for its presentation to be e-mailed and a conference call during the

Committee meeting was established; and

WHEREAS, the Committee convened on March 2, 2004 and was provided with an overview of the project and information relative to the City's Cone of Silence Ordinance and the Government in the Sunshine Law; and

WHEREAS, the Committee then listened to a presentation from Susan Brustman and Associates; and

WHEREAS, during the presentation, an e-mail was received by the Administration from Edelman who once again withdrew its proposal; and

WHEREAS, the Committee ranked Susan Brustman & Associates as the top proposer; and

WHEREAS, the City Manager has reviewed the Evaluation Committee's findings, and concurs with the recommendation of the Evaluation Committee relative to the selection of Susan Brustman & Associates as the successful proposer pursuant to RFP No. 9-03/04.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission accept the recommendation of the City Manager and herein approve the selection of Susan Brustman & Associates, as the successful proposer pursuant to RFP No 9-03/04, and further authorize the Administration to enter into negotiations with Susan Brustman & Associates for public relations services and marketing and communications consulting services for the City of Miami Beach.

PASSED and ADOPTED this	day of	, 2004
ATTEST:		
CITY OF EDIA	NAA./	<u> </u>
CITY CLERK	MAY	OR

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

Date

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution Approving and Authorizing an Amendment to the Current Professional Services Agreement between the City and Bermello, Ajamil and Partners, Inc. for Parks Master Plan Bond Program Sites of North Shore Park, North Shore Open Space, Pinetree Park, Parks Maintenance Facility, Lummus Park and South Pointe Park to Provide for an Extension of Time and for Additional Services, in the amount of \$135,623.38; Utilizing \$30,000 from Safe Neighborhood Parks Bond Funds already Allocated and Appropriated for North Shore Open Space Park; and Further Appropriating \$105,623.38 from the Interest Earned from the 1995 Parks General Obligation Bond as Follows to Fully Fund the Extension of Time and Additional Services: \$55,500.00 for North Shore Park and Youth Center; \$21,623.38 for Lummus Park; \$30,000 for the North Shore Open Space Park and \$28,500 for the Parks Maintenance Facility.

Issue:

Shall the City award Additional Services to Bermello, Ajamil and Partners, Inc. for North Shore Park, North Shore Open Space, Parks Maintenance Facility, and Lummus Park in the amount of \$135,623.38?

Item Summary/Recommendation:

Bermello, Ajamil and Partners, Inc. (B&A) entered into a Professional Services Agreement with the City on July 16, 1997 to perform as the Architect/Engineering Consultant for the Parks Master Plan Bond Program Sites of North Shore Park, North Shore Open Space, Pinetree Park, Parks Maintenance Facility, Lummus Park and South Pointe Park. The term of the agreement was for thirty (30) months, which included the construction period for all of the projects.

The projects were originally anticipated to be completed in 1999, and to date, only four (Pinetree Park, Lummus Park Phase I, and North Shore Open Space Park Phases I and II) have reached completion. South Pointe Park and North Shore Open Space Park Phases IV and V were removed from B&A's Scope of Services. North Shore Park and Youth Center is under construction, with an estimated completion date of June 2004. The third phase of North Shore Open Space Park is in design, with an estimated completion date of May 2005. The second phase of Lummus Park is under design, with an estimated construction completion date of April 2005. The Parks Maintenance Yard is under design with an estimated construction completion date of March 2005. In addition, thanks to a grant from HUD through FIU, the City is now able to construct the concessions stand and exterior restrooms at NSPYC and complete a portion of the project which remained unfunded. B&A has been performing Architect/Engineering services on these projects in an effort to complete the construction of the projects, even though their Professional Services Agreement has not been amended to include the additional time required for completion. At this time, the Administration recommends approving fees for Additional Services to retain B&A as the Architect/Engineering Consultant for these projects through the end of construction. The Administration recommends adoption of the Resolution awarding B&A additional services.

Advisory Board Recommendati	on	:
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N/A

Financial Information:

Source of		Amount	Account	Approved
Funds:	1	\$30,000.00	Safe Neighborhood Parks Bond	SECTION OF CONTRACTOR
	2	\$105,623.38	1995 Parks General Obligation Bond Interest	
	3			
	4			

City Clerk's Office Legislative Tracking:

Kristin L. McKew, Capital Projects Administrator

Cian Offa

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AGENDA ITEM <u>C7C</u>

DATE 4-14-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



Date: April 14, 2004

COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDMENT TO THE CURRENT PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE FIRM OF BERMELLO, AJAMIL AND PARTNERS, INC. FOR PARKS MASTER PLAN BOND PROGRAM SITES OF NORTH SHORE PARK, NORTH SHORE OPEN SPACE, PINETREE PARK, PARKS MAINTENANCE FACILITY, LUMMUS PARK AND SOUTH POINTE PARK TO PROVIDE FOR AN EXTENSION OF TIME AND FOR ADDITIONAL SERVICES, IN THE AMOUNT OF \$135,623.38, FOR THE PROJECTS: UTILIZING \$30,000 FROM SAFE NEIGHBORHOOD PARKS BOND FUNDS ALREADY ALLOCATED AND APPROPRIATED FOR NORTH SHORE OPEN SPACE PARK; AND FURTHER APPROPRIATING \$105,623.38 FROM THE INTEREST EARNED FROM THE 1995 PARKS GENERAL OBLIGATION BOND AS FOLLOWS TO FULLY FUND THE EXTENSION OF TIME AND ADDITIONAL SERVICES: \$55,500.00 FOR NORTH SHORE PARK AND YOUTH CENTER; \$21,623.38 FOR LUMMUS PARK; \$30,000.00 FOR NORTH SHORE OPEN SPACE PARK; AND \$28,500.00 FOR THE PARKS MAINTENANCE FACILITY.

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

FUNDING:

Total funding is available as listed below:

1995 Parks General Obligation Bond Interest

\$105,623.38

Safe Neighborhood Parks Bond

\$ 30,000.00

ANALYSIS:

On November 8, 1994, the citizens of the City of Miami Beach approved the issuance of \$15 million in general obligation bonds for park improvements (Parks Bond). Bermello, Ajamil and Partners, Inc. (B&A) prepared a Master Plan that addressed the needs of twenty (20) parks of various sizes, and improvements for the Boardwalk and bikeways.

City Commission Memorandum April 14, 2004 Bermello, Ajamil and Partners, Inc. Page 2 of 5

The Mayor and City Commission adopted the Master Plan on June 19, 1996.

The City issued RFLI Number 11-96/97, seeking the professional services of an architectural/engineering firm or firms to provide design services, construction and bidding documents, construction observation, project administration, scheduling, and cost estimating for the parks addressed by the Master Plan. On July 16, 1997, the Mayor and City Commission approved a Resolution authorizing the City to enter into an agreement with B&A for professional services related to the Group "A" Parks (North Shore Park, North Shore Open Space Park, Pine Tree Park, the Parks Maintenance Facility, Lummus Park, and South Pointe Park) for \$504,517.

The Mayor and City Commission approved the schematic plans for the base bids, base bid budgets for each project, and authorized the Administration to move forward with the designs and bid specifications for the projects on May 20, 1998. A chronology of events related to the B&A agreement and the projects under their agreement is attached as Exhibit A.

The original timeline for the six parks under B&A's professional services agreement was to have completion of construction in December 1999. Extensive delays beyond this date were generated primarily by the identification of additional funding which expanded the scopes of the projects. Similarly, community requests drove major and repeated design changes. To date, the first two phases of North Shore Open Space Park, Pinetree Park and the first phase of Lummus Park have been completed. The South Pointe Park and North Shore Open Space Park Phases IV and V were removed from the Scope of Services by Commission action on November 13, 2002, leaving the North Shore Park and Youth Center, Lummus Park Phase II, North Shore Open Space Park Phase III and Parks Maintenance Yard projects still remaining to be planned, designed, and/or have construction administration services completed by B&A.

B&A has been performing Architect/Engineering services on all of the projects in an effort to complete the construction of the projects. Their fees were adjusted in November 2002 to provide for additional time required to complete the projects. However, those timelines have been exceeded, and the projects have not yet been completed, and B&A has requested additional services.

North Shore Park and Youth Center is under construction, with an estimated completion date of June 2004. The third phase of North Shore Open Space Park is in design, with an estimated completion date of May 2005. The second phase of Lummus Park is under design, with an estimated construction completion date of April 2005. The Parks Maintenance Yard is under design with an estimated construction completion date of March 2005.

An extension of time to the agreement through June 30, 2004 on the North Shore Park and Youth Center project, through May 31, 2005 on Phase III of the North Shore Open Space Park project, through March 31, 2005 on the Parks Maintenance Yard project, and through April 30, 2005 on the Lummus Park project, would allow B&A to serve as the

City Commission Memorandum April 14, 2004 Bermello, Ajamil and Partners, Inc. Page 3 of 5

Architect/Engineer of record for these projects through the completion of construction. B&A requested additional fees in the amount of \$180,905, and as outlined in B&A's letter dated October 28, 2003 (attached as Exhibit B).

Similarly, B&A has requested additional fees for reimbursable expenses for the Lummus Park project in the amount of \$9,623.38. The additional reimbursable expenses request include a survey of the existing restroom facilities (at a cost of \$4,958.00) and the costs for preparing and mailing notices related to the project being reviewed by the Historic Preservation Board (HPB) for approval (at a cost of \$4,665.38). These requests are attached as Exhibits C and D, respectively.

B&A has also requested additional services, in the amount of \$10,000, for additional revisions to the Parks Maintenance Yard documents (attached as Exhibit E). The revisions are required due to new requirements in the Florida Building Code which were not in place when the original documents were completed.

In addition, a grant was awarded to the City, by the U.S. Department of Housing and Urban Development (HUD), through a program administered by Florida International University (FIU), in the amount of \$319,714, and accepted by Resolution No. 2004-25487 on February 25, 2004, for the construction of the Concession Stand and exterior Restrooms for the North Shore Youth Center play fields. This portion of the project was initially deleted from the scope of the current construction contract because of lack of funding. The award of the grant, together with matching funds from the City, will allow the completion of this portion of the project which is an important component of the park. The matching funds being used are the funds already expended on the construction of the baseball fields in the park. In order to expedite construction, the City intends to construct the project using the Job Order Contract (JOC) program available through the Procurement Division.

Because some adjustments are needed on the available documents, a process of permit review will be required, and some revisions to the drawings are required due to current Florida Code requirements not in place at the time the original documents were completed, B&A has requested additional services in the amount of \$15,500.00 to complete the new process and provide a new set of documents for pricing, permitting and construction, as well as to perform Construction Administration on the project (attached as Exhibit F). Below is an outline of the additional services requested by B&A.

<u>Project</u>	Requested Amount
North Shore Park and Youth Center (time)	\$ 61,405.00
Lummus Park (time)	\$ 24,000.00
North Shore Open Space Park (time)	\$ 59,500.00
Parks Maintenance Yard (time)	\$ 36,000.00
Lummus Park (survey)	\$ 4,958.00
Lummus Park (HPB notices)	\$ 4,665.38
Parks Maintenance Yard (Florida Building Code)	\$ 10,000.00
North Shore Park (concessions and restrooms)	<u>\$ 15,500.00</u>
	\$216,028.38

City Commission Memorandum April 14, 2004 Bermello, Ajamil and Partners, Inc. Page 4 of 5

After close examination of the requests, the Administration recommends additional fees in the amount of \$106,000 for the additional time, to be billed at the same rate as the percentage of completion of the projects, based on a time and materials basis. Additionally, the City recommends additional fees for reimbursable expenses for the Lummus Park project in the amount of \$9,623.38, for the survey and notice mailings.

With regard to the additional services request for additional revisions to the Parks Maintenance Yard documents, the Administration believes that some of these changes should be covered under the original Agreement with B&A as a part of their existing scope for permitting the project, and by a portion of the previously outlined \$24,000 request for additional time for the project. Because of the above, the City recommends that only \$4,500 of the additional services request be approved to cover the structural code revisions and the coordination with other disciplines that will be generated by those revisions.

The Administration also believes that the additional service request related to the Concessions and Restrooms at the North Shore Park and Youth Center is justified and recommends that it be approved in order to complete this very important project and make use of the generous grant provided by FIU.

The fees would be distributed to each project as follows if the recommendations of the Administration were approved as outlined:

<u>Project</u>	Recommended Amount
North Shore Park and Youth Center (time)	\$ 40,000.00
Lummus Park (time)	\$ 12,000.00
North Shore Open Space Park (time)	\$ 30,000.00
Parks Maintenance Yard (time)	\$ 24,000.00
Lummus Park (survey)	\$ 4,958.00
Lummus Park (HPB notices)	\$ 4,665.38
Parks Maintenance Yard (Florida Building Code)	\$ 4,500.00
North Shore Park (concessions and restrooms)	<u>\$ 15,500.00</u>
	\$135,623.38

If the accompanying Resolution is passed, B&A would perform Construction Administration services through June 30, 2004 on the North Shore Park and Youth Center project, through May 31, 2005 on Phase III of the North Shore Open Space Park project, through March 31, 2005 on the Parks Maintenance Yard project, through April 30, 2005 on the Lummus Park project, and through December 31, 2004 on the North Shore Youth Center Concessions Stand and Restrooms project. The other provisions of the original agreement would remain in effect, including Section 2.14, which relates to Additional Services. This Section defines the tasks that qualify as Additional Services. Subsection 2.14.5 outlines when the provision of Basic Services becomes Additional Services, and reads as follows:

City Commission Memorandum April 14, 2004 Bermello, Ajamil and Partners, Inc. Page 5 of 5

Providing Basic Services after issuance to the City of the final certificate for payment, or in the absence of a final certificate for payment, more than sixty (60) days after the date of substantial completion of the work, or sixty (60) days after the completion date set forth in the Construction Contract, whichever is later.

Pursuant to this subsection, B&A would not be entitled to any additional fees if construction were to end prior to the expiration of the 60-day period (prior to August 31, 2004 for the North Shore Park and Youth Center project, prior to July 31, 2005 for Phase III of the North Shore Open Space Park project, prior to May 31, 2005 for the Parks Maintenance Yard project, prior to June 30, 2005 for the Lummus Park project, or prior to March 1, 2005 for the North Shore Youth Center Concessions Stand and Restrooms project. If construction were to be completed after these dates, B&A would be entitled to ask (and negotiate with the City) for additional fees for any work performed after these respective dates. As stated in Subsection 2.14 of the original agreement, these Additional Services would have to be authorized in writing by the City in advance.

CONCLUSION:

The Administration recommends approving the proposed Amendment to provide for an extension of time and for additional services, in the amount of \$135,623.38, to retain Bermello, Ajamil and Partners, Inc. as Architect/Engineer for the Parks Master Plan Bond Program Sites North Shore Park and Youth Center, North Shore Open Space Park Phase III, the Parks Maintenance Facility, and Lummus Park, through the completion of construction.

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City of Miami Beach Capital Improvement Projects Office Accounting of Amendments to Bermello, Ajamil Partners, Inc.

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Agreement	Date	Reference Document	Amount	For
Original Agreement	July 16, 1997	Resolution 97-22479	Plannir Reimbi Shore i Lummt \$ 504,517.00 million	Planning, Design, Bid/Award, Construction Administration and Reimbursable Expenses on North Shore Park and Youth Center, North Shore Open Space Park, Pine Tree Park, Parks Maintenance Facility, Lummus Park and South Pointe Park - Total Project Budgets: \$4.9 million
Amendment 1	July 15, 1998	Resolution 98-22848	\$ 24,523.00	Additional Services Related to Additional Funding (1995 Parks Bond and Riviera Lien Settlement) for construction of Projects - \$340,000 in 24,523.00 construction funding added
Amendment 2	October 7, 1998	R8C on Agenda	\$ 10,800.00	Additional Services related to Additional Design for North Shore Park 10,800.00 and Youth Center - \$1 million in construction funding added
Amendment 3	March 3, 1999	Resolution 99-23090	\$ 136,300.00	Additional Services Related to Additional Funding (Safe Neighborhood Parks Bond) for construction of North Shore Open Space Park - \$1.8 136,300.00 million in construction funding added
Amendment 4	July 7, 1999	Resolution 99-23243	Addition https://doi.org/15,720.00 added	Additional Services Related to Additional Funding (1995 Parks Bond interest) for construction of Projects - \$890,000 in construction funding added
Amendment 5	January 12, 2000	Resolution 2000-23448	\$ 472,936.00	Additional Services Related to Additional Funding (1999 GO Bond) for 472,936.00 construction of Projects - \$6 million in construction funding added
Amendment 6	September 27, 2000	Resolution 2000-24095	\$ 37,000.00	Additional Services Related to Additional Funding (FRDAP Grant) for construction of North Shore Park and Youth Center - \$100,000 in 37,000.00 construction funding added
Amendment 7	November 29, 2000	Resolution 2000-24185	Addition construction and added added	Additional Services Related to Additional Funding (SP RDA TIF) for construction of South Pointe Park - \$2 million in construction funding added
Amendment 8	March 14, 2001	Resolution 2001-24293	36,182.00	Additional Services Related to Additional Scope (North Beach Recreational Corridor) for construction - \$450,000 in construction 36,182.00 funding added
Amendment 9	January 30, 2002	Resolution 2002-24719	\$ 24,750.00	24,750.00 Additional Funds for Reimbursable Expenses and Surveys
Amendment 10	November 13, 2002	Resolution 2002-25067	\$ (171,357.26)	Additional Time and Additional Services for North Shore Park and Youth Center, North Shore Open Space Park Phase III, Parks Maintenance Yard, Lummus Park; Deletion of South Pointe Park and North Shore Open Space Park Phases IV and V - Net decrease due to scope (171,357.26) reduction and shifting of some funds between projects
Total Awarded to Date	te		\$ 1,289,041.74	
Proposed Amendment 11	April 14, 2004		\$ 135,623.38	Additional Time for North Shore Park and Youth Center, North Shore Open Space Park Phase III, Parks Maintenance Yard, Lummus Park; Additional Services for North Shore Park and Youth Center, Lummus 135,623.38 Park, Parks Maintenance Yard
Proposed Total			\$ 1,424,665.12	

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Exhibit A – Chronology Page 1 of 4

November 8, 1994	Issuance of \$15 million in general obligation bonds for park improvements (Parks Bond) is approved by voters.
June 19, 1996	Mayor and City Commission adopted Master Plan prepared by Bermello, Ajamil and Partners, Inc. (B&A) that addressed the needs of twenty (20) parks of various sizes, and improvements for the Boardwalk and bikeways.
July 16, 1997	The Mayor and City Commission approved a Resolution authorizing the City to enter into an agreement with B&A for professional services related to the Group "A" Parks (North Shore Park, North Shore Open Space Park, Pine Tree Park, the Parks Maintenance Facility, Lummus Park, and South Pointe Park) for \$504,517, which included not to exceed amounts of \$15,000 and \$30,000 for Reimbursable Expenses and Surveying fees, respectively.
May 20, 1998	The Mayor and City Commission approved the schematic plans for the base bids, base bid budgets for each project, and authorized the Administration to move forward with the designs and bid specifications for the projects.
July 1, 1998	The Mayor and City Commission approved the reallocation of \$1,192,583 from South Pointe Park and Washington Park projects to other parks projects, including the North Shore Park and Youth Center.
July 15, 1998	The Mayor and City Commission appropriated additional funding for the Group "A" Parks in the amount of \$13,980,915 (comprised of \$13,835,915 from the Parks Bond and \$145,000 from the Riviera Apartments Lien Settlement). This action also amended the professional services agreement with B&A, increasing the B&A contract amount by \$24,523.
September 23, 1998	The Miami Beach Redevelopment Agency appropriated funding in the amount of \$1,192,583 to replace the funding the City reallocated from the South Pointe Park and Washington Park projects to other parks projects on July 1, 1998.
October 7, 1998	The Mayor and City Commission approved additional fees for B&A in the amount of \$10,800 for additional design services for the North Shore Park and Youth Center project.

Exhibit A – Chronology Page 2 of 4

December 16, 1998

The Mayor and City Commission approved the submission of an application for \$2.1 million from the Miami-Dade County Safe Neighborhood Parks Bond program for the renovation and restoration of the North Shore Open Space Park.

March 3, 1999

The Mayor and City Commission approved additional services fees in the amount of \$136,300 (comprised of \$127,800 for architectural and engineering services and \$8,500 for surveying and reimbursable expenses) to be allocated from the Safe Neighborhood Parks Bond funds for the North Shore Open Space Park.

July 7, 1999

The Mayor and City Commission appropriated \$960,961 generated as Interest Earnings from the \$15 million Parks Bond for the period of October 1997 through January 1999. The agreement with B&A was also amended in the amount of \$15,720 to reflect the addition of the Interest Earnings money toward the construction of the Group "A" Parks.

November 2, 1999

The citizens of the City of Miami Beach approved the issuance of approximately \$92 million in General Obligation (GO) Bonds. Of the \$24.8 million GO Bond funds that were allocated for Parks and Beaches projects, approximately \$5.9 million were for the construction of the Group "A" Parks included under the B&A professional services agreement.

November 17, 1999

The Mayor and City Commission referred the \$92 million GO Bond Issue to a joint meeting of the Finance and Citywide Projects Committee and the Neighborhood's Committee. Among other things, the Committees were to review and recommend action on amending the existing professional services agreements for the architecture and engineering of parks under the Parks Master Plan, given the infusion of additional funds into the project budgets.

December 15, 1999

The City Commission accepted the report from the Joint Meeting of the Finance and Citywide Projects Committee and Neighborhood's Committee. The report included a recommendation to renegotiate the existing professional services agreements for the architecture and engineering of parks under the Parks Master Plan to fees based on a lower percentage of estimated construction costs.

Exhibit A – Chronology Page 3 of 4

January 12, 2000

The Mayor and City Commission amended the City's agreement with B&A and appropriated \$472,936 (comprised of \$442,936 for additional architectural and engineering services, \$15,000 for additional surveying and testing, and \$15,000 for other reimbursable expenses), reducing B&A's fees to a basis of 7.0% of construction costs from the original 7.2%.

June 21, 2000

The City was notified that it was the recipient of a \$100,000 grant from the Florida Recreation Development Assistance Program (FRDAP) for improvements to the North Shore Park and Youth Center. Prior to this funding, the construction documents were approximately 95% complete. The additional funding meant that the construction drawings would have to be modified to accommodate the additional work.

September 27, 2000

The Mayor and City Commission approved an amendment of the agreement with B&A, and appropriated \$37,000 for B&A to perform the additional work related to the FRDAP grant.

November 29, 2000

The Mayor and City Commission and the Miami Beach Redevelopment Agency both approved the amendment of the professional services agreement with B&A and appropriated \$197,671 (comprised of \$189,671 for additional services and \$8,000 for reimbursable expenses) from the FY 2000/2001 South Pointe Tax Increment Financing (TIF) to complete the design, construction documentation, construction administration and specifications for the South Pointe Park Project.

March 14, 2001

The Mayor and City Commission approved an amendment to the professional services agreement with B&A to incorporate additional design and construction management services for a portion of the North Beach Recreational Corridor that falls within the limits of the North Shore Open Space Park in an effort to expedite and coordinate the design process for that phase of the North Beach Recreational Corridor. Additional fees in the amount of \$31,182 from the Miami-Dade Safe Neighborhood Parks Bond program were approved for the additional services.

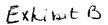
Exhibit A – Chronology Page 4 of 4

January 30, 2002

The Mayor and City Commission approved an amendment in the total amount of \$24,750 for additional Surveys and Reimbursable Expenses on Lummus Park, South Pointe Park, North Shore Park and the Parks Maintenance Yard projects. The additional Surveys and Reimbursable expenses were due to additional documentation, presentations and related materials, and additional surveys due to the repeated requests for redesign of the parks generated by the identification of additional funding or community driven requests for design changes.

November 13, 2002

The Mayor and City Commission approved an amendment extending the time and providing for additional services in the amount o \$157,716. This action also deleted the South Pointe Park and North Shore Open Space Park Phases IV and V from the Scope of Services.



Via Fax/Mail



- INTERIÓR DESIGN - LANOSCAPE ARCHITECTURE

October 28, 2003

Mr. Jorge Chartrand Assistant Director City of Miami Beach Capital Improvement Projects Office 1700 Convention Center Drive Miami Beach, FL. 33139

RE:

www.bamiami.com

City of Miami Beach Parks Request for Additional Services B&A Project 9753.000

Dear Mr. Chartrand

As a follow up to our meeting, I offer the following information for each of the parks pending to be completed:

North Shore Park & Youth Center: (Project Status Construction Administration) As per 1. Article 2.14.5 of the contract between the CMB and B&A, additional services are to be considered 60 days after the substantial completion date. The substantial completion date for this project was on June 11, 2003. As of August 11, 2003 B&A is entitled to additional services. These additional services will be calculated on a Time and Material basis using a 3.0 DLM. B&A has spent the following hours as of August 11, 2003 through October 15,

Staff Member Ho Guillermo Suarez 148 Rai A. Fernandez 74 Total	\$ 53.64	Extension \$ 7,938.72 \$13,466.52
We are projection that the	7 184 -	\$21,405.24

We are projecting that the project will be completed by January 15, 2004. We request an additional amount of \$40,000.00. Any additional work will be invoiced against this amount at the rates indicated above. The rates indicated above include our breakeven factor plus and additional profit markup. Total fee being requested is \$61,405.00.

Lummus Park: (Project Status 75% Construction Documents) 2.

This project is expected to begin construction by April of 2004. The project is expected to take from 10 months to a year of time to complete. We have approximately \$10,400.00 of Architectural fees to complete the construction documents and provide services during construction. Based on the available funds B&A would have less than \$1,000.00 a month to

B&A has performed numerous designs for the restroom facility that have presented to the Historic and Design Review Boards. We have analyzed alternative budget arrangements in order to maximize available funds and we are completing the construction documentation phase of this project. We would need at a minimum an additional \$2,000.00 per month

file:95.2.1

Mr. Jorge Chartrand CIP Office October 28, 2003 Page 2

> for a period of 12 months to pay for one person part time during construction administration. The total fee being requested is \$24,000.00

- 3. North Shore Open Space Park: (Project Status Permitting)
 - This project has taken over 8 months in the permitting processes due to requirements of the state permitting agencies. The remaining work will be the final phase of construction on this project. As of August 31, 2003, B&A has \$8,960.00 available to complete this project. B&A will need to complete the permitting process, bid this project and provide services during construction administration for both B&A and all of its consultants. The remaining work will take approximately 21 months. The available fees will be less than \$500.00 per month to perform this work. We are requesting an additional \$2,500.00 per month for a period of 21 months for a part time employee plus \$7,000,00 for sub-consultant fees. The total amount being requested is \$59,500.00.
- 4. Park Maintenance Yard: (Project Status Bidding Phase) B&A completed the permit review process on February of 2003, however, the project has sat dormant for 8 months. During these past 8 months B&A has been asked to address project related issues that have impacted are available funds. The available fees are \$16,287.00 to bid and complete the construction administration phase on this project. It is estimated that this work will take about 18 months to complete. B&A would have less that \$1000.00 per month to perform this work. We are requesting an additional \$2,000.00 per month for a total of \$36,000.00 to complete all work related to this project.

The fee amount assumes that the remaining work outlined in items 2, 3 & 4 above will be performed concurrently. The following table summarizes our request.

Park	Available Fees All Disciplines	Additional Fees Being Requested	Expected Completion Date
North Shore Park	\$ 5,388.00	\$ 61,405.00	In-mary 15 and
Lummus Park	\$23,257.00	\$ 24,000.00	January 15, 2004
North Shore Open Space	\$ 8960.00	\$ 59,500.00	April 15, 2005
Park Maintenance Park	\$16,287.00	\$ 36,000.00	May 31, 2005 March 31, 2005
Total	\$53,892,00	\$180,905.00	

I am available to meet with you to discuss this request, please contact me at your carliest convenience.

Sandor Guillen, CMB

Nestor Fernandez, URS Project File

UMBPARKSINSINCMRAddReq102803.wpd

Exhibit C



CRITECTURE , ENGINEERING , PLANNING , INTERIOR DESIGN , LANDSCAPE ARCHITECTURE

FACSIMILE TRANSMISSION

To:

Carla Dixon

City of Miami Beach CIP

Fax Number:

(305) 673-7073

From:

Rai Fernandez

Date:

February 25, 2004

RE:

Lummus Park

Project Number:

Number Pages Including This Cover Page:

Comments:

Proposal from Weidener Surveying.

Confidentiality Note: This facsimile is intended solely for the use of the addressee and may contain confidential information. If you have received this communication in error, please notify us immediately by telephone.

FEB-24-2004 04:15PM FROM-Weldener Surveying & Mapping

3055977012

T-928 P.001/005 F-816

Weidener Surveying and Mapping, P.A.

10418 N. W. 31 Terrace Miaml, Florida 33172 (305) 599-6381 Fax: (305) 599-2797

FAX TRANSMISSION COVER SHEET

			<u> </u>		
Date: 2-24	- 04	·			
Date: 2-24 To: RAY	FRRAMOEZ				
ax: 305/8	66-3757				
re: Propo	5112				
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FEB-24-2004 04:15PM FROM-Weldener Surveying & Mapping

8055977112

T-928 P.002/005 F-916



Weidener Surveying & Mapping P.A.

24 February 2004 Reply to: Miami

Mr. Rai Fernandez

Bermello-Ajamil & Partners, Inc.

2601 South Bayshore Drive, 10th Floor

Miami, Florida 33133

Re:

Lummus Park

WSM No: M-671

Dear Mr. Fernandez:

Weidener Surveying & Mapping, P.A. (WSM), is pleased to provide this proposal to Bermello-Ajamil & Partners, Inc. (B&A) for professional surveying services as outlined below.

Scope of Services

WSM will perform eight (8) Specific Purpose Surveys on existing outdoor shower facilities at the about reference site. The surveys will be centered above the showerhead and all features in a twenty five (25) foot radius will show including elevations (on NGVD '29 Datum). WSM will add this information to existing surveys performed in this area.

Schedule

WSM can begin work within one (1) working day of notice to proceed and deliver the finished product within five (5) working days thereafter.

<u>Deliverables</u>

WSM will provide AutoCAD R-2002 drawings of the project and will deliver to B&A four (4) certified copies along with a digital file.

أحستك

10418 N.W. 31 Ten. Miami, FL 33172

Tel: (305) 599=6381 Fax: (305) 599+2797

Orlando

2992 Edgewater Dr. Orlando, FL 32804

Tel: (407) 426•8339 Fax: (407) 426•8349

Jacksonvi:le

4540 Southside Blvd., Ste. 702 Jacksonville, FL 32216

Teli (904) 998•0111 Fax: (904) 998•0333

Pensacola

4400 Bayou Blvd., Ste. 50 Pensacola, FL 32503

Tet: (850) 484*5511 Fax: (850) 477*8422

Tampa 5019 W. Laurei Street Tampa, R. 33607 Tel: (813) 282*8291 Fax: (813) 282*8296 FEB-24-2004 04:15PM FROM-Weidaner Surveying & Mapping

3055977(12

T-928 P.003/006 F-816

<u>Feeş</u>

The surveying services described above will be provided for lump sum fee of Four Thousand Nine Hundred Fifty Fight dollars (\$4,958.00). Fee schedules and payment of these fees will be in accordance with the General Terms and Conditions attached hereto.

I have provided a space below for your approval and purchase order to initiate the required surveying services.

WSM looks forward to working with you on this and other projects. If you have any questions or need additional information please do not hesitate to call mc.

Sincerely,
WEIDENER SURVEYING & MAPPING, P.A.

Samuel M. Fischbein, PLS

Branch Manager

cc: James P. Weidener, PLS Jorge Fernandez, PLS

This proposal, along with the scope of services and General Terms and Conditions is accepted and approved and I hereby authorize the survey services by my signature shown below.

Rai Fernandez

Bermello-Ajamil & Partners, Inc.

Attachments:
General Terms & Conditions
License Agreement

s:u\m\pno\M-671_B&A-Suarcz.wd

FEB-24-2004 04:15PM FROM-Weidener Surveying & Mapping

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T-928 P.004/005 F-816

WEIDENER SURVEYING & MAPPING, P.A. (WSM) Miami * Orlando * Tampa * Jacksonville * Pensacola

GENERAL TERMS AND CONDITIONS

 All surveys will meet the Minimum Technical Standards of the State of Florida in 61G17-6, FAC, for the type of survey specified. WSM does not warrant nor guarantee accuracy or completeness.

The scope of work specified in the proposal includes only those services and deliverables enumerated therein.

3) In all boundary surveys and similar endeavors (rights of way or easement acquisition, for example), WSM recommends that a full and complete title search be provided to us to make certain that all easements and rights of others are disclosed. WSM does not search the public records as a matter of course.

4) Only visible surface evidence of utilities will be located (on those projects where same is included in the scope of work) and WSM makes no representations as to the utility itself. Utility records may be consulted for convenience, but WSM does not regularly provide utility research. All utilities may not be shown. WSM may request a "mark out" but WSM can not compel this service - if a "mark out" is actually provided WSM will locate the marks. WSM strongly recommends that our clients satisfy themselves as to all utility matters.

5) WSM is prohibited by OSHA from entering "confined spaces" such its inlets and manholes. Accordingly, all measurements of pipe sizes, inverts, etc. must be made from the outside and may not meet normal surveying standards. If access to "confined spaces" is mandatory for your project, WSM may provide a separate proposal for monitoring instruments, ventilators, special safety equipment, and the like necessary for entry.

6) Maintenance may be needed to access inlets and/or manholes. WSM will not clean out such structures - we will, however, report same to you for action. When all structures are clean, WSM will make one (1) additional attempt to acquire measurements without charge.

7) Route surveys for improvements in dedicated rights of way do not include houndary surveys of the right of way lines unless specifically stated. In such cases, the rights of way are defineated to national map accuracy standards only and should not be considered sufficient for the acquisition of property or easements.

8) Construction staking requires 24 to 48 hours advance notice to prepare data for the field party. WSM will also require 24 hours following staking for quality control - WSM will not accept responsibility if the staking is utilized by the client before the expiration of this period. All construction staking is alone once - any restaking, regardless of the cause of the loss, will be provided only at additional fee. Any and all claims being made against WSM for construction staking must be in writing and prior to any remedial work so WSM has an opportunity to visit the site and verify the validity of the claim.

9) Invoicing will be provided monthly and/or at substantial completion of the work. Invoicing is due upon presentation. WSM reserves the right to suspend work at any time that invoicing is in arrears more than 30 days. If lump sum, invoicing will be made on the percent complete at the time. If hourly, WSM will sum all titles necessary to the work at specified rates. "Back up" data that is requested by the client will occusion additional charges of \$2.00 per sheet, minimum of \$25.00.

10) Invoicing in arrears more than 30 days will be assessed a late charge at the rate of 1½ percent per month, compounded monthly, from the date of invoice until full satisfaction.

11) Hourly billing of fees will include all direct charges for field work, office computations, supervision, drafting, quality control, and the like that are necessary to the work, in our sole opinion. WSM "overhead" does not include such direct charges.

12) Field parties are billed "portal to portal" which is to say that travel time is direct charged to the project.

13) WSM maintains the following insurance:

 General Liability
 \$1,000,000/\$2,000,000
 Workers' Compensation
 \$1,000,000

 Automobile Liability
 \$1,000,000
 Professional Liability
 \$1,000,000

14) In any dispute, the prevailing party shall be entitled to receive reasonable attorney fees, court costs and the like.

15) Any agreement to perform services shall be governed by the laws of the State of Florida.

16) If any provision of these terms and conditions is held to be invalid, void or unenforceable, the remaining provisions shall remain in full force and effect.

17) WSM does not represent that any governmental approvals can be or will be obtained. WSM will, however, exercise its best efforts in this regard should it be disclosed to us that approvals are desired.

FEB-24-2004 04:15PM FROM-Weldener Surveying & Mapping

3055977112

T-828 P.005/005 F-816

WEIDENER SURVEYING AND MAPPING P.A. Miami * Orlando * Tampa * Jacksonville * Pensacola

LICENSE AGREEMENT

This electronic media is the property of Weidener Surveying and Mapping P.A. (the surveyor). It only licenses the use of the electronic media and does not transfer ownership of this copy.

You may only:

a) Use this electronic media on the specific project it was prepared for,

b) Copy the electronic media only as necessary to use it; and

c) Transfer the electronic media to another person only if that person agrees to accept the terms and conditions of this license.

These are the only rights granted. Among other things, you may not: rent, lease, modify, translate, disassemble, decompile, reverse engineer, or create derivatives based on the electronic media. If you fail to comply with any terms of this license agreement, YOUR LICENSE IS AUTOMATICALLY TERMINATED.

Rationale

The surveyors products are printed hard copy maps and/or written reports issued for the project, whereas electronic media, including CADD files, are tools for their preparation. The client's attention is directed to the Minimum Technical Standards of the State of Florida, Chapter 61G17-6, FAC, which govern. As a convenience to the client, the surveyor will farmish to the client, or his designate, both hard copies and electronic media. In the event of a conflict in their content, however, the printed hard copies bearing the signature and raised seal of the surveyor shall take precedence over the electronic media.

Surveyor's electronic media are firmished without guarantee of compatibility with the client's software or hardware and the surveyor's sole responsibility for the electronic media is to furnish a replacement for defective electronic media within a thirty (30) day period following final delivery.

The surveyor retains ownership of the printed hard copy maps, reports and electronic media. The client is granted a license for their use. Being that the surveyor's work involves existing conditions and/or opinions as to facts determined by the surveyor's observations, it is inappropriate for the client to make changes in any electronic media provided. Accordingly, use of the electronic media for modification, extension or expansion, unless under the direction of the surveyor, shall be without liability to the surveyor and the surveyors consultants, if any. With the above in mind, the electronic media is furnished in "read only" format. Any tampering with the electronic media of the surveyor immediately and automatically terminates the license granted herein.

Because data stored in electronic media form can be altered, either intentionally or unintentionally, by transcription, machine error, environmental factors, or by operators, it is agreed that the client and/or the user of the electronic media shall identify, defend and hold harmless the surveyor, the surveyor's consultants, and the officers and employees of any of them from and against any and all claims, liabilities, damages, losses and costs, including but not limited to costs of defense, arising out of changes or modifications to the data in electronic media form in the possession of the client and/or the user, or released to others and for any use of the printed hard copy, reports and electronic media outside the license granted hereunder.

General

BY USING THIS ELECTRONIC FILE YOU ACKNOWLEDGE THAT YOU HAVE READ THIS AGREEMENT, UNDERSTAND IT AND AGREE TO BE BOUND BY ITS TERMS AND CONDITIONS. YOU FURTHER AGREE THAT IT IS THE COMPLETE AND EXCLUSIVE STATEMENT OF THE AGREEMENT AND SUPERSEDES ANY PROPOSAL, WHETHER ORAL OR WRITTEN, AND ANY OTHER COMMUNICATIONS RELATING TO THE SUBJECT MATTER OF THIS AGREEMENT

Exhibit D



ARCHITECTURE . ENGINEERING . PLANNING . INTERIOR DESIGN . LANDSCAPE ARCHITECTURE

FACSIMILE TRANSMISSION

To: Carla Dixon, Donald Shockey

Fax Number: 305 673 7073

From: Guillermo Suarez

Date: February 20, 2004

Project Number: 9753.102 – Lummus Park

Number Pages Including This Cover Page: 3

Comments:

Donald.

Please refer to attached memo.

www.mostdependable.com

Regards,

Guillermo Suarez <u>asuarez@bamiami.com</u> 305 859 2050 ext. 109

CC: Rai Fernandez (B&A)

Project File

Confidentiality Note: This facsimile is intended solely for the use of the addressee and may contain confidential information. If you have received this communication in error, please notify us immediately by telephone.



ARCHITECTURE - ENGINEERING - PLANNING - INTERIOR DESIGN - LANDSCAPE ARCHITECTUR

February 20, 2004

MEMORANDUM

Via Fax/Mail

TO:

Donald Shockey

FROM:

Rai A. Fernande

RE:

Miami Beach Parks

Lummus Pak

B&A Project No. 9753.102

Donald,

As a follow-up to Carla Dixon's e-mail message, although we have previously issued this information via fax, the anticipated cost for the mailing labels and the associated work is approximately \$5,000.00.

Should you have any questions or require further clarification, please call me.

End of Memorandum

cc Carla Dixon/CMB

Project file

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FRUM C.M. QUINTANA, R. E. DATA RESEARH PHONE NO. : 305 859 2439

Jun. 23 2003 06:59PM P1

CONSUELO M. QUINTANA

REAL ESTATE DATA RESEARCHER 1111 SW 11th AVENUE, MIAMI, FL 33129-1820 0FC # 305-858-2287 FAX # 305-859-2439

SOLD TO:

INVOICE: # 2864

DATE: 02/22/03

BERMELLO AJAMIL & PARTNERS, INC. C/O BILLY SUAREZ 2601 S. BAYSHORE DRIVE, 10TH FL MIAMI, FL 33133 OFC (305) 859-2050 (EXT 109) FAX (305) 859-9638 CELL (305) N/A

ORDERED BY: BILLY SUAREZ

QUANTITY			TOTALS
2 1 1,701 N/A N/A N/A	PROPERTY OWNER'S LIST YOUR COPY WITH MATRIX OF I Condo Units (\$50 per every 100 Rush Charge Delivery Charge / Postage Extra Set for Second Board	units)	\$ 2,150.00 N/C \$ 850.00 0.00 0.00 \$0.00
	:	SUB TOTAL:	\$ 3,000.00
1	Mailing Services (SEE BREAKD	OWN ATTACHED; SUB TOTAL: DISCOUNT:	\$ 1,665.38 \$ 4,665.38 \$ 0.00
(N/A) No	ot applicable	PAID: AMOUNT DUE:	\$ 0.00 \$ 4,665.38

SUBJECT:

375'FT FOR THE CITY OF MIAMI BEACH - HISTORIC PRESERVATION BOARD

599 OCEAN DR. & 535 OCEAN DR.

MIA BCH, FL 33139

F#02-3203-000-0030 & 02-4203-002-0010

RE: LUMMUS PARK

TOTAL LABELS: 1.575 without repetition

ORIGINALLY 1,860 NAMES

- (X) The ownership list is ready for; (See Subject above). FOLOO 310/03
- (X) Please call me when you receive this fax. Re-5cbmitted 6/23/09.

THANK YOU FOR YOUR BUSINESS, PLEASE CALL AGAIN!

PAST DUE

NOTE: A FINANCE CHARGE OF 1 1/2 % PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE OF 18 % IS CHARGED ON ALL ACCOUNTS OVER 60 DAYS. PURCHASER SHALL BE LIABLE FOR ALL COSTS OF COLLECTION INCLUDING REASONABLE ATTORNEY'S FEES.

NOTE: We, also do the mail out for the Variance, i.e.: for the Board of Adjustment, Planning, HPB, & Design Review Board for MB, FL, & others, or, other specialty makings or research. Please call 305-858-2287.

(INV-2864) (L-412) (MB_21-2003) (TX-02/20/03) (D-2/03) (C-7/19/21/51/52/72/118/119/120/121/122/123/258/276/277/278/279/280/341/342/3490/496/520/606/638/656/659/684/697/833/834)



Exhibit E

ARCHITECYURE · ENGINEERING · FLANNING · INTERIOR DESIGN · LANDSCAPE ARCHITECYURE

March 25, 2004

Via Fax/Mail

Mr. Jorge Chartrand City of Miami Beach 1700 Convention Center Drive Miami Beach, FL. 33139

Re:

Miami Beach Parks and Recreation Department

Maintenance Yard Office and Garage

B&A Project No. 9753.104

Dear Mr. Chartrand

As you know, we have been asked to resubmit the construction documents for the Park Maintenance Yard project to the City of Mianii Beach Building Department. Our original design was generated using the old South Florida Building Code. The documents were issued to the Building Department and all disciplines reviewed and approved the documents, however, the permit approval expired through no fault of B&A. In order for us to resubmit these drawings we will need to update the set and bring the set of documents into compliance we the new Florida Building Code. Our fee to perform this work will be \$10,000.00.

Fee Schedule:

Architecture	
Structural	\$4,500.00
MEP	
Total	\$10,000.00

Please indicate your acceptance of this proposal with your signature below. Should you have any questions regarding this proposal, do not hesitate to call me.

Signature:

Date:

_ . _

Rai A. Pernandez Partner

CC

Tim Hemstreet, CMB Nury Menicucci, CMB Billy Suarez, B&A

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Exhibit F



ARCHITECTURE - ENSINEERING • PLANNING • INTERIOR DESIGN • LANDSCAPE ARCHITECTUR

March 25, 2004

Via Fax/Mail

Mr. Jorge Chartrand Assistant Director 1700 Convention Center Drive Miami Beach, FL. 33139

RE: North Shore Park & Youth Center

Concession & Restroom Building B&A Project No. 9753,101

Dear Mr. Chartrand

As per your request, we are submitting this revised proposal for the North Shore Park & Youth Center Concession & Restroom building. As you have informed B&A, the total project budget including cost of construction, A&E fees, permitting cost, project management fees, cost for "Art in Public Places" etc. is now \$319,714.00. The only modifications that will be made to the floor plans will be to update the structural forces as per the new Florida Code and deletion of the electrical services for the field lights originally indicated in the field house.

Fee Schedule:

I.	Construction Administration Services	. \$10,000.00
Ħ.	Update Structural Plans	
III.	Update MEP Plans	\$2,000.00
\mathbf{IV} ,	Update Civil Plans	. \$1,000.00
V.	Total	

Please indicate acceptance of this proposal with your signature below. Should you have any questions regarding this proposal, please do not hesitate to call me.

Signature:

Date:

Rat A Fernandez
Partner

CC

Diana Garcia, B&A Guillermo Suarez, B&A Project File

U!\MBPARKS\NSP\AddSorkRPt0032504.wpd

RESOLUTION TO BE SUBMITTED

CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



C	on	de	ns	ed	Ti	itle	e:

Approval of Amendment #5 to the Agreement with Brown and Brown Architects, authorizing payment for additional services provided for the Miami Beach Convention Center and Jackie Gleason Theater of the Performing Arts Roofing project.

Issue:

Shall the City Amend the Agreement with Brown and Brown Architects to compensate them for additional Services provided for the Convention Center and Theater of the Performing Arts Roofing project?

Item Summary/Recommendation:

An additional payment is due to Brown and Brown Architects for services provided during the closeout of the Convention Center and TOPA re-roofing project. It is necessary to amend the existing Professional Services Agreement dated July 8, 1996, to provide the means to make this final payment in the amount of \$38,850. Funds for this payment are available from the Convention Center Escalator Chain Replacement Account, as this activity is being deferred until F.Y. 2006.

Advisory Board Recommendation:	
N/A	

Financial Information:

Source of		Amount	Account	Approved
Funds:	1	38,850.00	441.2441.069358	
	2			
	3			
	4			
Finance Dept.	Total			

City Clerk's Office Legislative Tracking:

Mauro Burgio (x 6447) / Carl Hastings (x 6210)

Sign-Offs:					
Department Director	Assistant City Manager	City Manager			
Mil	Je	Janes			
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AGENDA ITEM <u>C7D</u>

DATE <u>Y-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



Date: April 14, 2004

COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 5 TO THE AGREEMENT WITH BROWN AND BROWN ARCHITECTS DATED JULY 8, 1996, FOR ADDITIONAL SERVICES FOR ON-SITE INSPECTION AND FOR CONSTRUCTION ADMINISTRATION BEYOND THE CONTRACT TIME FOR THE RE-ROOFING PROJECT AT THE MIAMI BEACH CONVENTION CENTER AND THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS IN THE AMOUNT OF \$38,850; AND APPROVING TRANSFER OF FUNDS FOR THIS ACTIVITY FROM THE CONVENTION CENTER ESCALATOR CHAIN REPLACEMENT ACCOUNT AND ALLOCATE IT FOR THIS PURPOSE.

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

AMOUNT AND FUNDING:

Funding in the amount of \$38,850, is available from the Convention Center Escalator Chain Replacement Account, No. 441.2441.069358, as the replacement of the Escalator Chain is being deferred until F.Y. 2006.

ANALYSIS:

On July 8, 1996 a Professional Services Agreement was executed between the City and Brown and Brown Architects, (formerly known as: The Architects Partnership of Brown & Brown) (Brown & Brown), to evaluate the roofs of the Miami Beach Convention Center (MBCC) and the Jackie Gleason Theater of the Performing Arts (TOPA), and to develop construction plans, specifications and bidding documents for the repair or replacement of these roofs.

A controversy arose about whether it was necessary to re-roof the Convention Center at that time, and on July 15, 1998 the Mayor and City Commission deferred action on a request to award a contract for the re-roofing project, and instead requested the appointment of a Blue Ribbon Panel to review the decision to replace the roofs. On September 9, 1998, the Blue Ribbon Committee recommended the complete re-roofing of the Convention Center and TOPA, with the exception of

City Commission Memorandum Re-roofing Project at MBCC & TOPA April 14, 2004 Page 2 of 4

the "West Wrap" area, and Roof deck C-7. The Committee requested moisture testing of these areas. On October 28, 1998, moisture tests confirmed that the "West Wrap" area and Deck C-7 should also be replaced. The Blue Ribbon Committee now recommended the complete re-roofing of both the Convention Center and TOPA. The Committee recommended that a full-time certified roof inspector be utilized to assure that the roof was applied properly.

The plans and specifications were prepared and on November 4, 1998, the Mayor and City Commission awarded a contract to Weiss and Woolrich Southern Enterprises, Inc., in the amount of \$7,245,000, pursuant to Bid No. 44-97/98, for the replacement of the roofs at MBCC and TOPA, with a project time estimate of 300 days.

A notice to proceed was issued on February 10, 1999, however, testing mandated by Miami-Dade County Product Approval requirements held up the start of construction until July 9, 1999, so that the target completion date would be in May 2000.

The Agreement between the City and Brown & Brown provided for construction administration services to be provided during the normal time for the construction of the proposed project. As a result of delays due to inclement weather, as well as numerous work suspensions requested by Convention Center Management to avoid disturbance of shows and events at the Convention Center and at TOPA, the Administration requested, and the Mayor and City Commission approved, an extension of the project completion date by 223 days, bringing the completion date to December 18, 2000.

Following this time extension, the Contractor experienced a further delay in the delivery of Sarnafil roofing material, a rubberized fabric used to waterproof the large vertical wall sections along the East side of the building. The manufacturer experienced a strike at its manufacturing plant, which held up delivery of this critical material.

Following the substantial completion of the project, on February 7, 2001, Brown & Brown requested payment for additional monitoring and Construction Administration services provided during this period of delay. The Administration requested detailed time sheets or daily reports to support these charges. Brown & Brown did not submit this documentation, and consequently, their request was not approved.

Brown and Brown submitted dunning notices to the City of the "open invoices", in June of 2001, again in August of 2002, and again in 2003, each time, City staff requested confirming time sheets or daily logs that would document their claim for additional compensation. Finally in early 2004, Brown & Brown provided time logs confirming the dates of their employee's visits to the roofing project. Following an evaluation of this log, the Administration is recommending that the invoices submitted by Brown and Brown reflecting their monitoring of the work during the close-out period be paid. In order to accomplish this, it is necessary to Amend the existing Agreement to provide a mechanism for payment for these Additional Services.

The attached Amendment No. 5 to the Agreement dated July, 8, 1996, will provide the following changes:

City Commission Memorandum Re-roofing Project at MBCC & TOPA April 14, 2004 Page 3 of 4

- a. The Mayor and City Commission, following the recommendation of the Blue Ribbon Committee for the Roofing Project, directed the Administration to retain a full-time inspector to perform field observation for the duration of the project. The Agreement with Brown and Brown was amended to provide for the services of a full-time, certified roofing inspector for the project. This Amendment extends the services of this full-time roofing inspector for an additional 44 days at an additional cost of \$10,250.
- b. During the final phase of the project, after the roofing application was completed, it was determined that 3 site visits per week for observation by the project engineer would provide adequate monitoring of the project, the full-time roofing inspector was released at this time. This Amendment will pay for the services of the project engineer for thirty (30) site visits for observation, at \$300 per visit at a cost of \$9,000.
- c. Construction Administration consists of monitoring project progress, attending weekly and monthly progress meetings, and reviewing and approving contractor pay requisitions. This Amendment extends the Construction Administration services of Brown & Brown through the final completion of the project. The cost of these additional services is \$19,600.

The total cost of these three elements is \$38,850.

The project was approved without a contingency and no funds remain available in the work order, therefore, it is recommended that funding for this activity be transferred from the Convention Center Escalator Chain Replacement Account. This account currently has sufficient funds available, as this project has been deferred until FY 2006. The City's escalator maintenance contractor originally recommended that funds be set aside to replace the Escalator Chain if it should fail in use, however, recently this firm recommended that the entire system be given a thorough 30-year overhaul in F.Y. 2006. This would involve replacing all the system components which are subject to wear, including the chain. Convention Center management is planning to follow this recommendation.

CONCLUSION:

The Administration recommends that the Mayor and City Commission adopt the Resolution approving and authorizing the Mayor and City Clerk to execute Amendment No. 5 to the Agreement with Brown and Brown Architects, in the amount of \$38,850, for additional services for on-site inspection, and Construction Administration beyond the original time at the Miami Beach Convention Center and the Jackie Gleason Theater of the Performing Arts; and that funds for this activity be transferred from the Convention Center Escalator Chain Replacement Account, and allocated for this purpose.

JMG/RCM/TH/MB/ch
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RESOL	LUTION	NO.	

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 5 TO THE AGREEMENT WITH BROWN AND BROWN ARCHITECTS DATED JULY 8, 1996, FOR ADDITIONAL **FOR ON-SITE INSPECTION** CONSTRUCTION ADMINISTRATION BEYOND THE CONTRACT TIME FOR THE RE-ROOFING PROJECT AT THE MIAMI BEACH CONVENTION CENTER AND THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS IN THE AMOUNT OF \$38,850; AND THAT FUNDS FOR THIS ACTIVITY BE TRANSFERRED FROM THE CONVENTION CENTER **ESCALATOR** REPLACEMENT ACCOUNT AND APPROPRIATED FOR THIS PURPOSE.

WHEREAS, on April 17, 1996, the Mayor and City Commission authorized Phase I of a Professional Services Agreement with Brown and Brown Architects, formerly known as The Architects Partnership of Brown & Brown (Brown & Brown), for the testing and evaluation of the roofs at the Miami Beach Convention Center (MBCC) and the Jackie Gleason Theater of the Performing Arts (TOPA); and

WHEREAS, on July 8, 1996, a Professional Services Agreement (Agreement) was executed with Brown and Brown to develop construction documents for the repair/replacement of the said roofs; and

WHEREAS, on November 4, 1998, the Mayor and City Commission, as recommended by a Blue Ribbon Committee, awarded a contract to Weiss & Woolrich Southern Enterprise, Inc., in the amount of \$7,245,000, pursuant to Bid. No. 44-97/98, for the roof replacement at the Miami Beach Convention Center and the Jackie Gleason Theater of the Performing Arts; and

WHEREAS, on May 12, 1999, the Mayor and City Commission approved Amendment No. 1 to the Agreement, in the amount of \$70,000; and

WHEREAS, on July 21, 1999, the Mayor and City Commission approved Amendment No. 2 to the Agreement, in the amount of \$34,142; and

WHEREAS, on November 17, 1999, the Mayor and City Commission approved Amendment No. 3 to the Agreement, in the amount of \$35,000; and

WHEREAS, on July 26, 2000, the Mayor and City Commission approved Amendment No. 4 to the Agreement, in the amount of \$73,180; and

WHEREAS, the construction period of the project was extended beyond the anticipated completion, necessitating extra costs for on-site inspection and for construction administration services by the consultant, it is therefore necessary to approve an Amendment No. 5 to the Agreement.

NOW, THEREFORE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission approve and authorize the Mayor and City Clerk to execute Amendment No.5 to the Agreement with Brown and Brown Architects dated July 8, 1996, in the amount of \$38,850, for additional services for on-site inspection and for construction administration beyond the original time for the re-roofing project at the Miami Beach Convention Center and the Jackie Gleason Theater of the Performing Arts; and that funds for this activity be transferred from the Convention Center Escalator Chain Replacement Account and appropriated for this purpose.

PASSED AND ADOPTED this	day of, 2	2004.	
ATTEST:			MAYOR
CITY CLERK			
the first and a topping			

& FOR EXECUTION

MYWWL 3-29-05

APPROVED AS TO FORM & LANGUAGE

AMENDMENT No. 5 TO THE

PROFESSIONAL SERVICES AGREEMENT DATED JULY 8, 1996, BETWEEN CITY OF MIAMI BEACH

AND

BROWN AND BROWN ARCHITECTS

(FORMERLY KNOWN AS THE ARCHITECTS PARTNERSHIP OF BROWN & BROWN)

[FOR ADDITIONAL CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES AT THE MIAMI BEACH CONVENTION CENTER (MBCC) AND THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS (TOPA)]

This Fifth Amendment, dated as of ______, 2004, to that certain Agreement, dated July 8, 1996, by and between the City of Miami Beach, Florida (City) and Brown and Brown Architects (formerly known as The Architects Partnership of Brown & Brown) (Consultant).

WHEREAS, the Agreement provided for the preparation of a Phase I, Evaluation and Scope of Work Definition for the Roof Repairs/Replacement at the MBCC and TOPA; and

WHEREAS, the Agreement also provided for a Phase II, preparation of Construction Documents, Specifications, Bidding and Construction Administration upon completion of Phase I; and

WHEREAS, Phase I and Phase II have been completed, and the Project was bid and awarded, and constructed; and

WHEREAS, the Project continued past the estimated completion date, and Brown and Brown continued to provide Inspection and Construction Administration services throughout this period, and

WHEREAS, the City desires to compensate Brown and Brown for providing its professional services for this purpose; and

WHEREAS, the City desires to Amend the Agreement with Brown and Brown for the provision of construction administration and inspection services for an additional period as specified herein.

1. **ABOVE RECITALS.**

The above recitals are true and correct and are incorporated as a part of this Fifth Amendment.

2. **MODIFICATIONS**

The Agreement is amended to add the additional services as described in Exhibit "A-1," entitled Scope of Services/Compensation for Additional Services attached hereto.

3. **OTHER PROVISIONS.**

All other provisions of the Agreement, as amended, are unchanged.

4. **RATIFICATION.**

The City and Consultant ratify the terms of the Agreement, as amended, as modified by this Fifth Amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Fifth Amendment to be executed in their names by their duly authorized officials as of the date first set forth above.

ATTEST:	CITY OF MIAMI BEACH
	By
CITY CLERK	MAYOR
i i	BROWN & BROWN ARCHITECTS
	Ву
	PRESIDENT
ATTEST:	
(Signature)	SEAL
Print Name and Title	

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 06 h Date

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution approving the two (2) year renewal option of the Management Agreement with the Garden Conservancy for the Management and Operation of the Botanical Garden; and further waiving by 5/7ths vote, the competitive bidding requirements, to provide for one (1) additional year, for a total renewal period of three (3) years, commencing on June 20, 2004 and ending on June 22, 2007.

Issue:

Shall the City Commission adopt the Resolution, approving a renewal of the Management Agreement with the Garden Conservancy for a period of three (3) years.

Item Summary/Recommendation:

On April 6, 2004, the Finance and Citywide Projects Committee recommended unanimously to renew the Management Agreement with the Conservancy for the two-year period, as provided for in Section 2 of the Agreement. The Conservancy requested that instead, the Committee consider renewing the Agreement for a period of three years, specifically to accommodate the Conservancy's efforts in achieving accreditation for the facility. The process is estimated to take two-and-a-half years. Additionally, Ronnie Singer of the CIP Office, informed the Committee that by extending the Agreement for a three-year period, the Conservancy would be able to remain involved throughout the planning and construction of the proposed improvements to the Facility, as discussed earlier in this memorandum. Pursuant to a determination by the City Attorney's Office, the Finance and Citywide Projects Committee voted unanimously to recommend waiving by 5/7ths vote, the competitive bidding requirements, providing for one (1) additional year, thereby extending the renewal term for a period of three (3) years, as requested by the Conservancy.

Advisory Board Recommendation:

April 6, 2004 – Finance and Citywide Projects Committee – Voted in favor of renewing the Management Agreement with the Garden Conservancy for a three (3) year period as noted in the Item Summary/Recommendation section above.

Financial Information:

Amount to be exp	ended:		
Source of	Amount	Account	Approved
Funds:	1		· ·
	2		
	3		
	4		
Finance Dept.	Total		

City Clerk's Office Legislative Tracking:

Christina Cuervo, Assistant City Manager
Kent O. Bonde, Redevelopment Agency

Sign-Offs:

Deserted Diseases	A1-1-1-01 M	GU N
Department Director	Assistant City Manager	City Manager
	011	0
		Jon

AGENDA ITEM <u>C7E</u>

DATE <u>4-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY MIAMI FLORIDA, **BEACH** ACCEPTING RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AND APPROVING THE RENEWAL TERM OF THE MANAGEMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE MIAMI BEACH GARDEN CONSERVANCY, INC., FOR THE MANAGEMENT AND OPERATION OF THE MIAMI BOTANICAL GARDEN; SAID TERM BEING FOR A PERIOD OF TWO (2) YEARS; IN LIGHT OF THE ANTICIPATED CONSTRUCTION AT THE BOTANICAL GARDEN, PURSUANT TO THE CITY'S CAPITAL IMPROVEMENT PROGRAM AND ADDITIONALLY, PROVIDING FOR WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENTS, FINDING SUCH WAIVER IN THE BEST INTEREST OF THE CITY, TO PROVIDE FOR ONE (1) ADDITIONAL RENEWAL TERM YEAR; FOR A TOTAL RENEWAL PERIOD OF THREE (3) YEARS, COMMENCING ON JUNE 20, 2004 AND ENDING ON JUNE 22, 2007.

ADMINISTRATION RECOMMENDATION

Refer the Item.

ANALYSIS

On July 7, 1999, the City Commission authorized the execution of a Concession Agreement with the Miami Beach Garden Conservancy, Inc., which permitted the Conservancy use of the area known as the Welcome Center, including the gift shop and the orchidariums. The Miami Beach Conservancy's purpose is to provide volunteer public information and horticultural, educational and conservational services and support the capital improvements, programming and building/grounds maintenance needs at the City of Miami Beach Botanical Garden.

At the January 10, 2001 Commission meeting a discussion regarding the Miami Beach Garden Conservancy, Inc., was held. A motion was made and approved to appropriate up to \$7,000 per month, for up to 3 months, to reimburse the Conservancy, based on actual expenses, until an Agreement could be developed.

On April 18, 2001, the Mayor and Members of the City Commission approved a Management Agreement with the Miami Beach Garden Conservancy, Inc., and authorized the monthly payments of \$7,000 to continue until such time that an operating budget was approved. The Agreement provides for, but is not limited to, the following:

- The initial term of the Agreement was for three (3) years, commencing on July 1, 2001. At the expiration of the initial term, provided the Conservancy is in good standing, the City may, at its sole discretion, renew and extend this Agreement for an additional two (2) year option. The initial term is set to expire on June 20, 2004. In the event the City determines not to extend the Agreement, it shall notify the Conservancy in writing, no less than sixty (60) days prior to the end of the initial term.
- The Miami Beach Garden Conservancy, Inc., shall have primary use and sole occupation of the Botanical Garden premises.
- The Conservancy shall prepare and present a budget by May 1 of each year for the following fiscal year. The proposed, detailed line item annual operating budget for the Botanical Garden, shall be reviewed by the City Manager and/ or his designee, and submitted to, considered, and approved by the Mayor and City Commission pursuant to the City's annual budget review approval process. Said budget shall include a projected income and expense statement; projected year end balance sheet; statement of projected income sources; and application of funds.
- The Conservancy shall, at its sole cost and expense, to the satisfaction of the City, keep and maintain the Premises, and all improvements thereon, in good, clean and sanitary order. The Conservancy shall, at its sole cost and expense, have the responsibility for maintaining the grounds and horticulture of the Botanical Garden to minimum standards established by the City. The City shall continue to have sole responsibility for the maintenance and repair of all facilities and utilities infrastructure equipment on the Premises.
- Accompanying the Conservancy's proposed annual budget shall be the Botanical Garden Programmatic Plan for the next fiscal year, detailing the activities planned and the number of residents and visitors anticipated to be impacted.
- The Conservancy shall use its best efforts to obtain public / private grant funding and individual/ corporate contributions for the support of the Botanical Garden. During the initial term of this Agreement, it is the intent of the City and the Conservancy that Conservancy-initiated funding grows on a continuing basis. During the term of this Agreement, the Conservancy shall include its annual proposed budget/ and Programmatic Plan, the funding that it anticipates raising, and the City shall use such representations in evaluating whether or not to continue with this Agreement.
- The Conservancy shall have the exclusive right to allow, permit, rent or otherwise book any and all areas of the Botanical Garden, for the purpose of

allowing individuals and/ or organizations to utilize the Garden for special events, receptions, community meetings and other uses generally consistent with use(s) associated with a public botanical garden. The Conservancy shall follow and adhere to the rental rates and policies and procedures established and approved by the City. The Conservancy shall provide a monthly written report of the events scheduled in and pertaining to the Garden and, with each such report on activities which actually occurred and the number of persons participating in those activities during the previous month.

The Conservancy shall provide all insurances deemed necessary by the City and indemnify, hold harmless and defend the City, its agents, servants and employees from any claim, demand or cause of action whatsoever kind or nature arising out of error, omission, or negligent act of the Conservancy, its agents, servants, or employees in the performance of services under this Agreement.

Since taking over the operations of the Botanical Garden, the Conservancy has initiated public outreach initiatives, educational programming and undertaken capital planning efforts. One of the Conservancy's primary goals is to achieve accreditation of the facility through the American Association of Museums. To this end, it has been working with the City in defining the scope of capital improvements to achieve this goal. The City identified approximately \$1.5 Million from the Series 2000 General Obligation Bonds to undertake the improvements. In July, 2003, following an RFQ selection process, EDAW was selected to undertake the planning and design of the facility. It should be noted that pursuant to the terms of the Agreement, the Conservancy has used its best efforts to obtain public/private funding contributions towards the improvements. The Conservancy's Board has pledged to fund \$10,000 of the estimated \$86,000 design cost.

In FY 01/02, the City appropriated \$200,500 towards the operation of the Garden Center. Of this amount, only \$160,400 was expended. As such and due to the City's budgetary constraints over the last two years, the City's contribution was reduced by 25 percent in FY 02/03 for a total of \$160,500 and an additional 5 five percent in FY 03/04 for a total of \$152,475.

Garden Conservancy Budgets

	FY 01/02	FY 02/03	FY 03/04	FY 04/05
Source:	(Actual)	(Actual)	(Adopted)	(Proposed)
CMB Contribution	\$160,400 (*)	\$160,500	\$152,475	\$152,475
Donations/Contributions	91,503	59,923	24,000	26,000
Fund Raising/Programming	- 0 -	919	47,090	47,090
Grants	- 0 -	28,638	16,345	22,000
Membership	8,296	9,124	22,000	22,000
Rentals	25,456	47,718	60,000	60,000
Gift Shop & Other Sales	13,585	1,868	2,000	2,000
Events & Other Income	22,253	37,153	-0-	-0-
Total Revenues	\$321,493	\$345,843	\$323,910	\$331,565
Total Expenses	\$326,953	\$314,227	\$323,910	\$331,565
Profit(Loss):	(\$ 5,460)	\$ 31,616	\$ -	\$ -

Note: (*) Actual amount of the City's appropriation in FY 01/02 was \$200,500 of which \$160,400 was expended.

The Conservancy's budget for the current fiscal year (FY 03/04) calls for \$323,910 in income, of which the City's contribution comprises 47 percent. The remaining balance

is comprised of a combination of sources, including donations, fund raising events, grants, membership programs, rental revenue, gift shop and other sales. Total expenses were estimated at \$323,910 for the year. Based on its budget proposal for FY 04/05, the Conservancy is not expected to increase its budget request from the amount that was appropriated in FY 03/04. Revenues and expenses are projected to increase by approximately 2.4 percent respectively. Copies of the proposed budgets by quarter for FY 03/04 and FY 04/05 (as submitted by the Garden Conservancy) are attached.

Separately, the Conservancy has submitted a report addressing its accomplishments and initiatives in response to the scope set forth in the Management Agreement, relative to maintenance, operations, fund raising, attendance, grant funding and rental use. A copy of this report is included with this memorandum.

On April 6, 2004, the Finance and Citywide Projects Committee recommended unanimously to renew the Management Agreement with the Conservancy for the two-year period, as provided for in Section 2 of the Management Agreement. Barbara Knaub, the Conservancy's Chairperson, requested that the Committee consider renewing the Agreement for a period of three years, specifically to accommodate the Conservancy's efforts in achieving accreditation for the facility. The process is estimated to take two-and-a-half years. Additionally, Ronnie Singer of the CIP Office, informed the Committee that by extending the Agreement for a three-year period, the Conservancy would be able to remain involved throughout the planning and construction of the proposed improvements to the Facility, as discussed earlier in this memorandum.

Commissioner Smith inquired about the Conservancy's fund raising efforts. Barbara Knaub informed the Committee that without a project design in hand, fund raising has been difficult. In FY 03/04, the Conservancy is only projecting to receive \$16,000 in grant funds. Once conceptual plans are approved for the renovations of the facility, the Conservancy will be in a better position to pursue grants and other sources of funding.

Pursuant to a determination by Raul Aguila, the Committee voted unanimously to recommend waiving by 5/7ths vote, the competitive bidding requirements, providing for one (1) additional year, thereby extending the renewal term for a period of three (3) years, as requested by the Conservancy.

JMG/CMC:KOB Attachments

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RESOL	UTION	NO.	

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AND APPROVING THE RENEWAL TERM OF THE MANAGEMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE MIAMI BEACH GARDEN CONSERVANCY, INC., FOR THE MANAGEMENT AND OPERATION OF THE MIAMI BEACH BOTANICAL GARDEN; SAID TERM BEING FOR A PERIOD OF TWO (2) YEARS: AND ADDITIONALLY, PROVIDING FOR WAIVER, BY 5/7THS VOTE, OF THE COMPETITIVE BIDDING REQUIREMENTS, FINDING SUCH WAIVER IN THE BEST INTEREST OF THE CITY, IN LIGHT OF THE ANTICIPATED DESIGN AND CONSTRUCTION SCHEDULE FOR THE BOTANICAL GARDEN, PURSUANT TO THE CITY'S CAPITAL IMPROVEMENT PROGRAM AND PROVIDING FOR ONE (1) ADDITIONAL RENEWAL TERM YEAR; FOR A TOTAL RENEWAL PERIOD OF THREE (3) YEARS, COMMENCING ON JUNE 20, 2004 AND ENDING ON JUNE 22, 2007.

WHEREAS, after several years in decline, the City of Miami Beach Botanical Garden has experienced a resurgence as a focal point of pride for our residents, tourists and day guests; and

WHEREAS, throughout this resurgence, the volunteers of the Miami Beach Garden Conservancy, Inc., (Conservancy) have been present at the Garden, staffing a Welcome Center, working on the garden grounds and cooperatively hosting classes and horticultural training to interested citizens; and

WHEREAS, on July 7, 1999, the Mayor and City Commission authorized the execution of a Concession Agreement with the Conservancy which permitted the Conservancy use of the area known as the Welcome Center, including the gift shop and the orchidariums; and

WHEREAS, the Conservancy's purpose was to provide volunteer public information, and horticultural, educational and conservational services and support the capital improvements, programming and building/grounds maintenance needs at the Botanical Garden; and

WHEREAS, at the January 10, 2001 City Commission meeting, a discussion regarding the Conservancy and the Botanical Garden, was held; at that time, a motion was made and approved to appropriate up to \$7,000 per month, for up to three (3) months, to reimburse the Conservancy, based on actual expenses, until a Management Agreement could be developed.; and

WHEREAS, On April 18, 2001, the City Commission approved a Management Agreement (Agreement) with the Conservancy Inc., for a period of three (3) years, commencing on July 1, 2001 and expiring on July 20, 2004; and

WHEREAS, Section 2 of the Agreement provides that upon expiration of the initial term, provided the Conservancy is in good standing, the City may, at its sole discretion, renew and extend the Agreement for an additional two (2) years; and

WHEREAS, on April 6, 2004, at a meeting of the Finance and Citywide Projects Committee, the Committee recommended unanimously to renew the Management Agreement for the two-year renewal period, as provided for in Section 2 of the Management Agreement; and

WHEREAS, the Conservancy's Chairperson requested that the Finance and Citywide Projects Committee consider renewing the Agreement for a period of three (3) years, in order to accommodate the Conservancy's efforts in achieving accreditation for the facility, a process estimated to take two-and-a-half years; and

WHEREAS, CIP staff advised that by extending the Agreement for a three-year period, the Conservancy would also be able to remain involved throughout the planning and construction of the proposed improvements to the Botanical Garden, to be funded from Series 2000 General Obligation Bonds; and

WHEREAS, pursuant to a determination by the City Attorney, and based upon the findings set forth in this Resolution, the Committee voted unanimously to recommend waiving, by 5/7ths vote, the competitive bidding requirements, providing for one (1) additional year, thereby extending the renewal term for a period of three (3) years, as requested by the Conservancy.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Finance and Citywide Projects Committee, and approve the renewal of the Management Agreement between the City of Miami Beach and the Miami Beach Garden Conservancy, Inc., for the Management and Operation of the Botanical Garden, said renewal term being for a period of two (2) years; and further waiving, by 5/7ths vote, the competitive bidding requirements, finding such waiver to be in the best interest of the City, and in light of the anticipated construction at the Botanical Garden, pursuant to the City's Capital Improvement Program, providing for one (1) additional renewal term year, for a total renewal period of three (3) years, commencing on June 20, 2004 and ending on June 22, 2007.

PASSED and ADOPTED this 14th day of April, 2004.

	MAYOR
ATTEST:	IVIA I OIX
CITY CLERK	APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION
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Miami Beach Garden Conservancy Proposed Budget 2003/2004

Income	1st Quarter	2nd Quarter	3rd Quarter	•
	10/1/03 -12/31/03	1/1/04 - 3/31/04	4/1/04 - 6/30/04 7	_
City of Miami Beach Contribution	\$38,118.00	\$38,118.00	\$38,118.00	3
Donations	\$6,000.00	\$6,000.00	\$6,000.00	
Fund Raising Events	\$23,545.00	\$0.00	\$23,545.00	
Grants	\$0.00	\$5,000.00	\$11,345.00	
Membership	\$5,500.00	\$5,500.00	\$5,500.00	
Rental Revenue	\$15,000.00	\$15,000.00	\$15,000.00	
Misc. Sales	\$500.00	\$500.00	\$500.00	
Total Income	\$88,663.00	\$70,118.00	\$100,008.00	

\$47,090.00 \$16,345.00 \$22,000.00 \$60,000.00

> \$5,500.00 \$15,000.00

\$0.00

\$152,475.00 \$24,000.00

\$38,121.00 \$6,000.00

Total F/Y 2003/2004

4rth Quarter 7/1/04 - 9/30/04

\$323,910.00

\$500.00 \$65,121.00

Accounting/Bookkeeping	\$2,400.0
Administration	\$3,250.0
Facility Maintenance	\$1,250.0
Horticulture Maintenance	\$15,385.0
Insurance / Facility	80.0
Payroli & Casual Labor	\$45,187.0
Phone/Computer & Security	\$2,250.0
Arts Program Expense	0.002\$
Education Program Expense	0.002\$
Fund Raising/Events Expense	\$10,000.0
Grant Expense	\$1,700.0
Marketing Expense	\$2,000.0

Designer Fee Contribution

Total Expense

Rental Expense

\$323,910.00	\$71,864.00	\$92,142.00	\$72,982.00	\$86,922.00
\$10,000.00	\$0.00	\$10,000.00	\$0.00	\$0.00
\$10,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
\$8,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
\$6,800.00	\$1,700.00	\$1,700.00	\$1,700.00	\$1,700.00
\$20,000.00	\$0.00	\$10,000.00	\$0.00	\$10,000.00
\$2,000.00	\$500.00	\$500.00	\$500.00	\$500.00
\$2,000.00	\$500.00	\$500.00	\$500.00	\$500.00
\$9,000.00	\$2,250.00	\$2,250.00	\$2,250.00	\$2,250.00
\$180,750.00	\$45,189.00	\$45,187.00	\$45,187.00	\$45,187.00
\$6,000.00	\$0.00	\$3,000.00	\$3,000.00	\$0.00
\$41,360.00	\$9,925.00	\$7,605.00	\$8,445.00	\$15,385.00
\$5,000.00	\$1,250.00	\$1,250.00	\$1,250.00	\$1,250.00
\$13,000.00	\$3,250.00	\$3,250.00	\$3,250.00	\$3,250.00
\$10,000.00	\$2,800.00	\$2,400.00	\$2,400.00	\$2,400.00

Expenses

Miami Beach Garden Conservancy Proposed Budget 2004/2005

Income	1st Quarter	2nd Quarter	3rd Quarter	4rth Quarter	Total F/Y 2004/200.5
City of Miami Beach Contribution	\$38 118 00	838 118 001	4/1/05 - 6/30/05	7/1/05 - 9/30/05	
Donations	\$6,500.00	\$6,500,00	\$50,116.00 \$6.500.00	\$56,121.00 \$6,500.00	\$152,475.00
Fund Raising Events	\$23,545.00	\$0.00	\$23,545,00	00.00	\$47,000,00 \$47,000,00
Grants	\$11,000.00	\$0.00	\$11,000.00	\$0.00	\$22,000,000
Membership	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500,00	\$22,000,00
Min Colo	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000,00	\$60,000,00
Hotol Cales	\$500.00	\$500.00	\$500.00	\$500.00	\$2,000,00
	\$100,163.00	\$65,618.00	\$100,163.00	\$65,621.00	\$331,565.00
Expenses					
Accounting/Bookkeeping	\$3,125.00	\$3,125.00	\$3.125.00	\$3 125 00	\$12 500 00
Administration	\$3,750.00	\$3,750.00	\$3,750.00	\$3,750.00	\$15,000.00
	\$1,250.00	\$1,250.00	\$1,250.00	\$1,250.00	\$5,000,00
	\$15,500.00	\$9,000.00	\$8,000.00	\$10,000.00	\$42.500.00
Bournell o Control	\$0.00	\$3,050.00	\$3,050.00	\$0.00	\$6,100,00
Dhone/Committee of Committee	\$47,500.00	\$47,500.00	\$47,500.00	\$47,500.00	\$190,000.00
Arts Program Expense	\$2,275.00	\$2,275.00	\$2,275.00	\$2,275.00	\$9,100.00
Editotion Drogram Expense	\$250.00	\$550.00	\$550.00	\$550.00	\$2,200.00
Find Deleting/Eucoste Find	\$550.00	\$550.00	\$550.00	\$550.00	\$2,200.00
Grant Expense	\$10,000.00	\$0.00	\$10,000.00	\$0.00	\$20,000.00
Marketing Expense	\$1,715.00	\$1,750.00	\$1,750.00	\$1,750.00	\$6,965.00
Rental Expense	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$10,000.00
Total Expense	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$10,000.00
	\$91,215.00	\$77,800.00	\$86,800.00	\$75,750.00	\$331,565.00



QL HAR 31 PH 2: 26

CITY/GARDEN CONTRACT REVIEW

Friday, April 2, 2004

The Miami Beach Garden Conservancy welcomes the opportunity to present this report that addresses our accomplishments and initiatives in response to the scope outlined in the Management Agreement between the City of Miami Beach and our organization, relative to maintenance, operations, fund raising, attendance, grant funding and rental use.

In our public/private partnership, the City currently contributes 47% (\$152,475) of the Garden's annual income. The remaining operational funds, \$180,000, are raised by the Conservancy through donations, events, memberships, grants, and rentals. All Conservancy fundraising strategies seek to adhere to the following primary goals and priorities, previously listed as Section 4.

- Serve as stewards of a green oasis located in the heart of Miami Beach
- Provide free public access to an attractive Botanical Garden
- Create environmental and ecological education programs for children and adults
- Promote the expansion of green space, tree canopy, beautification, and ecological improvement of our City
- Serve as a unique venue for visual and performing arts
- Offer a desirable location for special events, receptions and community meetings
- Serve as a tourist destination with an ever-expanding environmental and educational component
- Work in a public/private partnership with the City to develop capital planning efforts relating to the Garden/Facility redesign

In addition to the above, the Conservancy's long-term goal is to achieve accreditation for the Garden from the American Association of Museums. If accepted, we would be one of the smallest accredited Botanical Gardens in the nation. With completion of a project such as this, the City of Miami Beach will continue to serve as a model for inner-city development, increase public environmental awareness, and plant a seed that can grow into a better quality of life for all.

Please review our analysis pertaining to the following Sections of the current agreement and requests for changes in the upcoming new agreement.

Section 5.2 - Hours of Operation

Currently, the Garden is open 9AM to 5PM Tuesday through Sunday, with free admission to the public. A letter is on file regarding our current policy of being closed on Monday. At this time, we would like to continue this policy.

Section 6 – Base Rent/Revenue from Botanical Garden Related Activities/Financial Records and Reports. - (See attached check)

- 6.1 A sum of \$3 is due and payable from the Conservancy to the City as our base rental for prior three-year term.
- 6.2. The Conservancy over the past three years has conducted business on the premises, including event rentals, gift shop sales, plant sales, classes and tours, all of which are consistent with the customary operation and management of a public botanical garden and consistent with Section 4. No new types of business have been initiated without prior approval of the City Manager's office.
- 6.3. Financial Records and Reports

The Conservancy has maintained true, accurate and complete records and accounts of all receipts and expenses related to the operation of the facility and garden. A certified public accountant employed by the Conservancy has provided a written annual financial statement of these activities to the City, certified as true and accurate.

Through oversight on our part, a monthly report of receipts and expenditures with a comparison to the stated budget and projection for the balance of the budget period has not been provided. It is our request that this stipulation be amended to state that this information be provided on a quarterly basis instead which coincides with our current accounting and business planning practices.

Section 7 - Budget and Funding for the Botanical Garden

- 7.1 An annual fiscal year operating budget for the Botanical Garden has been consistently provided in a timely manner.
- 7.2 Programmatic Plan. It is our intention to continue to provide the Botanical Garden's annual programmatic plan as an accompaniment to the budget information due on May 1.

Section 9 – Alterations, Maintenance, and Repairs- (See attached cc) Attached for your review is a copy of our current Landscape Maintenance Agreement with Valeriano Gardening Service listing regular maintenance responsibilities.

Under Section 9, we would like to maintain the current contract stipulations and respectfully request the City's consideration of providing to the Garden through the Parks and Recreation Department some or all of the following items:

- Mulch
- Sod and soil
- Partnership in purchasing plants through the City's bulk purchase agreement
- Use of a small truck or van as part of the City's fleet arrangements
- High-top tree trimming for hurricane season preparation
- Regularly scheduled streetscape cleaning of trash and litter by the South Beach Service Team on Convention Center Drive, 19th Street and the Garden/Holocaust Memorial parking lot

Section 10 – Use of Premises for Special Events/Receptions/Community Meetings, and Generally -(See attached cc)

10.1 See attachment of Garden's rental package. The Conservancy requests the right to adjust rental fees and upgrade rental package in accordance with market studies and current competitive rental fees. At the time of any such change, we will provide the City with an updated rental package and price list.

The Conservancy intends to continue the practice of meeting all insurance certificate requirements as directed by the City.

As per our meeting of March 16, 2004, the Conservancy agrees to provide a continually updated and on-going report of scheduled events and rentals to the City's Department of Cultural Tourism, and the Parking Department.

All commercial activities and events will be undertaken expressly for the purpose of furthering the goals and priorities set forth in Section 4.

Sections 11-20

The Conservancy intends to continue to comply with mandates and specifications detailed within these sections and sees no need for change.

Section 21 – Insurance Requirements - (See attached cc)

A copy of our insurance policies is provided for your review, which we believe, is in accordance with our obligations.

Section 22 - Indemnification

The Conservancy works hand in hand with the City's Office of Risk Management to indemnify, hold harmless and defend the City, its agents, servants and employees from any claims or actions.

Sections 23-30

The Conservancy intends to continue to comply with mandates and specifications detailed within these sections and sees no need for change.

Respectfully submitted by:

The Board of Directors and the Conservancy Executive Committee:

For questions and additional information, please contact:

Barbara Knaub, Facility Chairman 305-535-2398, e-mail knaubb100@aol.com Laura Jamieson, Executive Director 305-673-7256 Ext. 206, e-mail lajamieson@aol.com



Landscape Maintenance Agreement

Company:

Valeriano Gardening Services Inc. 928 NW 31 Avenue Miami, Florida 33125

Schedule:

Valeriano Gardening Services will begin providing service at Miami Beach Botanical Garden on December 9, 2003. Maintenance will be bi-weekly December-April, and weekly May-November, for a total of 38 visits per year. Visits are scheduled for Tuesdays @ 8:00 am - 3:00 pm.

Payment:

The rate for each visit is \$480.00. Payment will be made monthly upon submission of an invoice.

Responsibilities:

Regular maintenance (each visit unless otherwise noted):

lawn cutting and edging shrub trimming (as needed) pruning of dead palm leaves weed control, hand plant litter removal turf fertilizing (4 times per year)

Occasional work:

trash litter pickup outside fence tree limb removal

Accepted:	
for landscape company	date: _12/09/03
	1
Katherine 1	Mardina date: 12 -9-03
for MBGC	175

MIAMI BEACH GARDEN CONSERVANCY 2004 RENTAL RATES

Area	Description	Includes	Four Hour Rental	Additional Hourly Rate
Butterfly Room	Size 18'x35	One Table 24 chairs	\$150.00	\$75.00
Banya Room	Size 30'x50'	12 Tables 100 Chairs	\$600.00	\$100.00
Great Lawn	Open Space Accommodates 600		\$1,400.00	\$150.00
Japanese Garden	Open Space Accommodates 200		\$450.00	\$75.00
Palm Grove	Open Space Accommodates 200		\$450.00	\$75.00

In addition 7% sales tax will be added on to all rental.

A staffing charge \$20 per hour & \$100 Janiti itorial Fee
Insurance will be quote base on Liquor served and Spectators.



FAX '[RANSMITTAL SHEET

DATE:

January 14, 2004

TC:

Laura Jamison

CC MPANY:

Miami Beach Botanica Gardens

FAX:

305-535-8083

RE:

Summary of Insurance

FF OM:

Lourdes Peraza 305-7 4-4487

HBA Insurance Group

2500 NW 79Th Aven e Suite #101

Miami, Florida 3312; Phone (305) 714-4787 Fax (305) 714-4401

Ni mber of Pages Including Cover:

If ou do not receive the entire document or it is illegible, please call the telephone number shown above.

CC NFIDENTIALITY NOTE: The information contained in this facsimile message is legally privileged and confidential and is intended only for the use of the individual or entry named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this facsimile is strictly prohibited. If you have received this fac simile in error, please immediately notify us by telephone and return the original message to us at the address above via the Ur ned States Postal Service. Thank You.

R:marks: Per your conversation with Julia Wade, following please find schedule of insurance nr d dec pages of existing policies.

A so please note we need the copy of the Diaphragm of the grounds as soon as possible.

Sl ould you have any questions, ple se feel free to give me a call.

T lanks

JAN-14-2004 01:02PM

FROM-HEAD-BECKHAM AMERINSURANCE

3057144401

T-206 P.002/008 F-309

Sunne keederingurand :

For:

Niami Beach Botanical Gardens Niami Bch Conservancy Inc. DBA 2)00 Convention Center Drive

A iami Beach, FL

33139

305-673-7256

Prepared BU14/04

HBA Insurance Group 2500 NW 79th Ave. Suite 101

Miami, FL

33122

305-714-4400

Coverage	Approx	Concern	Polityalo	En.	4 0	Premiun
General Liab ility (Continued)						
FEET-Flat C targe \$1,100 Class Code : 41668 Premlum Ba .is : 450 (A) AREA - 1 'ER 1,000/SQ FT						
1 Gift Shop-N: t for Profit Class Code : 13507 Premium Ba ila : 35000 (S) GROSS SALES - PER \$1,000/SA	LES					
Crime		ZURICH	CCP004283604	05/10/C3	(15/10/04	715.00
Employee Dishon sty Deductible	50,000 500			٠		
Deductible Forgery or Alterat >n Deductible	50,000 500					
NON-COMPENSA: ED OFFICERS AS EMPI						
Directors & Officers Liability		Great American Insurance Co	EFP9206750	05/07/(3	05/07/04	775.00
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Limits (F liability Amount of Retention	1000000					
		Hartford	14160042532003	05/22/13	05/22/04	282.00
Building Location		ADDT LOC				
2000 CONVENTION CENTER DR Business Personal Property BPP Deduntible	17400 500			, ,		
			-			İ

JAN-14-2004 01:03PM FROM-HEAD-BECKHAM AMERINSURANCE 3057144401 T-206 P.004/009 F-309 Lichard milana For: **HBA Insurance Group** I liami Beach Botanical Gardens 2500 NW 79th Ave. Suite 101 I liami Bch Conservancy Inc. DBA **1000 Convention Center Drive** Miami, FL I liami Beach, FL 33122 305-714-4400 33139 305-673-7256 Loverage Amount Policy No. Commercial Application BURLINGTON INSURANCE GROUPTING 00025 02/26/03 (12/26/04 2391.15 Premise 1 Builk ng 1 2000 CONVENTION CENTER DRIVE , FL MIAMI BEACH 33139 **Property** BURLINGTON INSURANCE GROUPTRED00025 02/26/03 C2/26/04 0.00 Policy Level Information Premises 1 Building 1 BUS PERS PRC P 15,000 Coins % മറ Valuation ACV Cause of Loss SPECIAL Deductible 1000 Forms# W/H EXCL Cause of Loss X-THEFT General Liab lity BURLINGTON INSURANCE GROUP INTERPOOD 25 02/26/0.3 02/26/04 0.00 Occurrence General Aggrega e 2,000,000 Products/Comple ed Oper. Aggr. Personal & Adver ising Injury EXCLUDED 1,000,000 Each Occurrence 1,000,000 Fire Damage (An 'One Fire) 50,000 Medical Expense (Any One Person) 5,000 Other Coverages, lestrictions, And/OT Endersements
EXCLUSIONS: F DILLUTION, ASBESTOS, SILICA DUST, TOX C
SUBSTANCES, EMPLOYMENT PRACTICES, YZK LIMITATIO IS: CONTRACTUAL NON-PROFI : ORGANIZATION OF 100 MEMBERS (CCUPYING 450 SQUARE



Policy Number 272B000025

COMMON POLICY DECLARATIONS

Renewal of: NEW

THE	RURI	INCTON	INSURANCE	COMPANY
1111	DUIL	THAC I I CHA	HADOUNING	CUNIPAINA

Home Office: Burlington, North Carolina
Administrative Office: 238 International Road, Burlington, NC 27:115

Claims Office;	2 38 International Road, Burlington	n, NC 27215
Item 1. I lamed Insured and Mailing Addres		
Miami feach Garden Conservancy, I Miami Feach Botanical Gardens 2000 Convention Center Drive Miami Feach FL	ic., d/b/a:	CRC Insurance Services, Inc. 7600 West Camino Real Centre Suite 300 Boca Raton FL 33433 Code:
	ve Date: 02/26/2003 01 A.M., Standard Time a	Expiration Date: 02/26/2004 at your mailing address shown above.
ļ remium is shown, there is по cov	ed in this policy. I g coverage parts for which the property of the parts for which the parts for which the parts for the parts	ch a premium is indicated. Where no
Coverage Pa		13433 Premium
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Comme: cial General Liability Frodu	og Ageol's Address I Sea Nu	25/22 1,570.00
	enium: 2,262.00 Tu	1/3·35 \$
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Total Pol	cy Premium or Deposit Pre	
Other Cl arges (if applicable)	Total Other Ch	
STATE TAX INSPECTIC ((S150) & FILING (\$15) FEES \$ STAMPING FEE \$ FL EMPATE	113.35 Total Amour 185.00 6.80 4.00	
Premium is: Flat Adjustable	Policy Minimum Pre	mium \$ 2,082.00
In the event you cancel this policy, we will	retain \$520.50	
Item 4. Forms and Endorsements applicable See "Listing of F	to this policy: xms and Endorsements" (I	FG-I-0150)
Item 5. I orm of Business. Individual	☐ Partnersh	nip
☐ Limited Liab	ity Company 🖫 Other Or	ganization, including a Corporation
Busines: Description: Non Profit Gift Store/Office	PSLSO Confirmation No	<u> 302</u> .
THESE DECLARATIONS TOGETHER WITH AND ANY ENDORSEMENT(S), COMPLETE	THE COMMON POLICY C	ONDITIONS AND COVERAGE FORM(S) OLICY.
Counter ligned:		

180

Den o Penter

JAN-14-2004 01:03PM FROM-HEAD-BECKHAM AMERINSURANCE 3057144401 T-206 P.006/009 F-309 (HIR FOLIC) TROVIDIONS - FART I AND ENDORSTMENTS, IF ANY ISSUED TO FORM THE THIS DECLARATION PA A PART THEREOF, COMPLETE ELOW JUMBERED CITIZENS PROPERTY INSUI 'CORPORATION POLICY. CITIZENS PROPER1. INSURANCE CORPORATION, WIND ONLY POLICY 7077 Bon cval Road - Suite 500, Jacksonville, Plorida 32216-6064 INSURED NAME IND ADDRESS APP CENERAL BUSINESS MIAMI BEJ CH GARDEN CONSERVANCY INC DBA MIAM: BEACH BOTONICAL GARDENS 2000 CONTENTION CENTER DR MIAMI BEICH, FL 33139 POLICY TERM 4 '25/2003 TO 4/25/2004 PARTIES THE SPRING PARTY CITIZENS POLICY NO. 1034851 AT 12:01 A.M. (EST) EXPIRATION DATE THIS IS YOUR POLICY DECLARATION PAGE - This is not a Bill P:emium 1001 100 CORCERE 1 15,000 4 1,000, T-30 39 CONTENTS OF AN OFFICE IN A TWO STORY SEMI WIND RESISTIVE BLDC LOC: 2000 CONVENTION CENTER DR MIANI BEACH, DADE FL TOTAL AN JUNT OF COVERAGE ACTUAL PRIDETUR PREMILUM SURCHARGE Florida Hurricane Cat Fund 39.00 .00 Reins/Cat Financing Minimum Premium 15,000 Tax-Exe pt Sur 4.00

Went:

Subject to Form No(5):

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(IT CP2

HEFD-BECKHAM 0548 IMERINSURANCE INC

CIT-WO6

Payor: 181

INSURED

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(\$100 RETAINED)

JAN-14-2004 01:03PM

FROM-HEAD-BECKHAM AMERINSURANCE

3057144401

T-206 P.007/009 F-309

14160042532003 POLICY #:

lational Flood Ser ices O. Box 2057 Ka ispell, MT 59903-2057

o report a claim call: 1-800-759-8656



FLOOI) POLICY DECLARATIONS

New Policy

TYPE: GENERAL

POLICY PER: OD: 5/22/2003 to 5/22/2004

These Declarations are effective as of: 5/22/2003 at 12:31 AM

PRODUCER NAME & ADDRESS

PO BOX 5:3615

Indiadan Halandalallallandalalalallala

T-FILE MAR 25 2003

INSURED NAME & ADDRESS

MIAMI BEACH CONSERVANCY, INC DBA MIAMI BCH BOTANICAL GRONS 2000 CONVENTION CENTER DR MIAMI BEACH, FL 33139-1805

POLICY INFORMATION

MIAMI, F. 33152-3615

PREMIUM PAYOR: Insured

INSURED PROPERTY ADDRESS 2000 C INVENTION CENTER DR MIAMI :EACH, FL 33139-1806

PRODUCER 1: 04500-21221-533 H B A INSURANCE GROUP

COMMUNITY NAME MIAMI BEACH, CITY OF

COMMUNITY NUMBER 12065101925

POLICY TERM: One Year

BUILDIN: DESCRIPTION

Non-Re:idential One Flor No Bas ment

Coverage L .mitations May Apply, Refer to your St indard Flood Insurance Policy for details.

FLOOD ZONE

CONTENTS LOCATION Lowest Floor Only Above Ground Level

PROGRAM

Regula ·

AE

CONSTRUCTION Pre-Firm Construction

COVERAGE & RATING INFORMATION

BUILDING

CONTENTS

PREMIUM PAID

Coverage: Deductibl .: N/A N/A

Coverage: Deductibl :: \$17.400 \$500

Premium Subtotal: Previous Premium Subtotal: ICC Premium: \$296.00 \$296.00 \$.00

Rates

N/A

Rates:

..620/ .430

CRS Discount: Expense Constant: Federal Policy Fee: Endorsement Amount:

\$44.00 \$.00 130.00

Total Premium:

\$.00 \$282.00

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2ND MORTGAGEE

This is a glains MADE POLICY READ IT CAREFULLY



		PRODUC	ERCOPY		ade policy read
GRE TAMER INSURANCE CO 580 WALN UT STREET, C	MPANIES	45202	103	Non-Pro Executive Employment	ARATIONS FOR DIT ORGANIZATION E PROTECTION AND T PRACTICES LIABILITY RANCE POLICY
Insurance is a forded by the comp	any indicated below; (E	ich a capital st	ock corporatio	жт)	
⊠ Gre t American Insuran	ce Company		☐ Agricult	tural Insurance Company	
☐ Amı rican National Fire	Insurance Company		□ Other _		
Poli y Number: EPP:	3206750			Policy Form Number:	D9100
Item 1. Name of Organization: Maili g Address: City, tate, Zip Code: Attn: Item 2. Policy Period: From	MIAMI BEACH B 2000 CONVENTIX MIAMI BEACH, F DONNA O'HIGGIR 05/07/2003	N CENTER D	05/07/7	2004	
(Both dates at 1	(Month, Day, Year) 2:01 a.m. Standard Tin	at the address	. <i>(Month,)</i> of the Organ	<i>Day, Year)</i> n ization as stated in Item 1)
Item 3. Limit of Liability: \$ 1,100,000 Item 4. Retent on:	Aggregate Limit of			•	
\$ 1,100	Each Claim				
Item 5. Premi m: \$ 77;	•				•
Item 6. Endor: ements Attached: D97€ ₹ (1)	D9713	9800-1	D9876		•

Item 7. Notice: All notices required to be given to the In: arer under this Policy shall be addressed to:

Great American Insurance Companies **Executive Liability Division**

P.O. Box 66943

Chicago, Illinois 60666

Item 8. Initial Coverage Date:

05/07/1999

These Declarat: ans along with the completed and signed Pr posal Form and Non-Profit Organization Executive Protection and Employment Practices Liabil ty Insurance Policy, shall constitute the con ract between the Insureds and the Insurer.



CUMMERCIAL CRIME POLICY DECLARATIONS

Administrative Office 1400 American Lane Schaumburg, IL 60196

This policy i isued		Colonial Ar	nerican Cas	mpany of N Jalty and S	urety Compa	any	Policy N	o. ÇÇ	P 0042836 04
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Miami Bea :h Bo	tanical Gar	dens	Jua		Head-Be	ckham in	d Address: surance Ag nue, Suite	enby, I	¢c _e ੍ਰ
2000 Convention					2500 NW P. O. Box	/9" AVei	ine' 211164	01 .	Cilla
Miami Beach, FL	33139	V			Miami, Fl				
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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title	:				
A resolution estab	lishing April 20	04 as "Fair Hous	sing Month" in	the City of Miami Beac	h.
Shall the City ador	t a resolution s	etablishina Anril	2004 as Fair I	Housing Month in the Ci	ty of Miami Reach?
Strail the City adop	n a resolution e	stablishing April,	, 2004 as i ali i	Housing Monarin the Or	ly of Milariii beach.
Item Summary/R		etion:			
			nd the City Co	mmission adopt a resol	ution establishing
April, 2004 as "Fa	ir Housing Mor	nth" in the City of	Miami Beach		anon ootaanamig
A.I	D	1-41			
Advisory Board N/A	Recommend	iation:			
IN/A					
Financial Inform	ation:				
Source of		Amount		Account	Approved
Funds:	1		N/A		
	2				· .
	3	× · · · · · · · · · · · · · · · · · · ·			
	4				
Finance Dept.	Total				
	Personal Company Compa			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	·
City Clerk's Offic	ce Legislativ	e Tracking:			
Vivian P. Guzman					
Sign-Offs:					
Department	Director	Assistant	City Manage	r City I	Vanager
WWWWW	\			June	
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AGENDA ITEM <u>C7F</u>

DATE <u>4-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 http://ci.miami-beach.fl.us



DATE: April 14, 2004

COMMISSION MEMORANDUM

TO:

Mayor David Dermer and

Members of the City Commission

FROM:

Jorge M. Gonzalez

City Manager

SUBJECT:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE

CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING APRIL 2004 AS

"FAIR HOUSING MONTH" IN THE CITY OF MIAMI BEACH.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

In April of each year, the U.S. Department of Housing and Urban Development (HUD) commemorates the signing of the Federal Fair Housing Law on April 11, 1968, with special "Fair Housing Month" celebration activities.

As a recipient of HUD Community Planning and Development Program funds (CDBG, HOME, and ESG), the City of Miami Beach is responsible for supporting and encouraging the effort and commitment within the community to provide fair housing opportunities for all.

As required by U.S. HUD, in July of 1995, the City certified that it would affirmatively further Fair Housing efforts. Toward this end, the City sponsored HOPE, Inc. in the preparation of an Analysis of the Impediments to Fair Housing Choice, in association with Miami-Dade County and the Cities of Miami and Hialeah. U.S. HUD has presented the City with a Certificate of Appreciation in recognition of its efforts to promote Fair Housing for all residents and for incorporating the Analysis of Impediments into its Fair Housing Planning Strategy. During the past year, a series of Fair Housing Seminars were held to familiarize both landlords and tenants with the City's fair housing policy, including the City's Human Rights Ordinance, and state and federal Civil Rights legislation.

The City annually celebrates "Fair Housing Month" by adopting a Resolution and by placing advertisements in local newspapers describing the housing rights of residents and providing a telephone number for aggrieved persons to file complaints. These advertisements have assisted citizens in understanding their rights regarding fair housing issues.

The Administration recommends that the Mayor and City Commission adopt the attached Resolution establishing April 2004 as "Fair Housing Month" in the City of Miami Beach.

JMG/RCM/VAG/JR/MDC/TU

T:\AGENDA\2004\Apr1404\Consent\SHIP-FH-MTH2004-MEM.doc

RESOLUTION N	O .
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A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING APRIL 2004 AS "FAIR HOUSING MONTH" IN THE CITY OF MIAMI BEACH.

WHEREAS, the strength of our nation, and all its states and cities, flows from the promise of individual equality and freedom of choice; and

WHEREAS, the anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans, individually and collectively, to rededicate themselves to the principle of freedom of choice and to participate in efforts to eliminate vestiges of housing discrimination wherever they exist, as this law guarantees for each citizen that critical, personal element of freedom of choice in the selection of their home; and

WHEREAS, fair housing is the policy of the City of Miami Beach, and the implementation of that policy requires the positive commitment, involvement and support of each one of our citizens; and

WHEREAS, the departments and agencies of the City of Miami Beach are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

WHEREAS, barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that April 2004 is hereby established as "Fair Housing Month," and the Mayor and City Commission ask that the people of this City join in reaffirming the obligation and commitment to fair housing opportunities for all.

Passed and adopted	1 this	day of		, 2004.
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	•			
				MAYOR
ATTEST:				APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION
CITY CLERK T:\AGENDA\2004\Apr1404\Consent\SHIP-FI		loc	1	M M/M/ -4-2-09

CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Con	de	nse	ed.	Title	÷:
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A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PROCLAIMING APRIL 12, 2004 THROUGH APRIL 16, 2004 "NATIONAL COMMUNITY DEVELOPMENT WEEK" IN THE CITY OF MIAMI BEACH.

Issue:

Shall the City of Miami Beach proclaim the week of April 12, 2004 through April 16, 2004 as National Community Development Week in the City of Miami Beach?

Item Summary/Recommendation:

For the past thirty years, the City has received an annual entitlement allocation of Community Development Block Grant (CDBG) funds. Each year, communities across the nation join together to celebrate the achievements made possible with these funds, and to express gratitude to the multiple partners that work together to make the programs a success.

Advisory Board Recommendation:

None. However, the Community Development Advisory Committee was advised of this year's dates for National Community Development Week at their March 16, 2004 meeting.

Financial Information:

Amount to be expended:									
Source of		Amount	Account	Approved					
Funds:	1								
CDBG	2	,							
	3								
	4		-						
Finance Dept.	Total								

Sign-Offs:

Department Director	Assistant City Manager	City Manager
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JMG/RCM/VPG/MR/EJB
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AGENDA ITEM <u>C76</u>
DATE <u>4-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMLBEACH, FLORIDA 33139 www.miamibeachfl.gov



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date: April 14, 2004

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI

BEACH, FLORIDA, PROCLAIMING APRIL 12, 2004 THROUGH APRIL 16, 2004

"NATIONAL COMMUNITY DEVELOPMENT WEEK" IN THE CITY OF MIAMI BEACH.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The Community Development Block Grant (CDBG) program has operated for thirty years since 1974, to provide local governments with the resources required to meet the needs of persons of low and moderate-income. CDBG funds are used throughout the nation to revitalize neighborhoods and undertake positive community development.

The City of Miami Beach, through CDBG funding, has developed a strong collaborative network of relationships with its residents and the many nonprofit agencies that provide services and help make possible the City's commitment to its neighborhoods. The CDBG program has had a significant impact on the City of Miami Beach's local economy through job creation and retention, capital improvements, housing programs, social services, economic development, neighborhood revitalization, and rehabilitation and preservation programs.

The City recognizes that the CDBG program is a partnership of federal, local government, nonprofit and community efforts. The City further recognizes that services funded by the federal CDBG program, administered by the City of Miami Beach, and delivered by local sub-recipient organizations, rely heavily on the dedication and goodwill of our combined efforts.

The week of April 12, 2004 through April 16, 2004 has been designated as "National Community Development Week". During Community Development Week 2004, the City of Miami Beach will express its gratitude and give special recognition to all participants whose hard work and dedication to community development and neighborhood revitalization help insure the quality and effectiveness of the Community Development Block Grant program.

The Administration recommends that the Mayor and City Commission proclaim April 12, 2004 through April 16, 2004, "Community Development Week" in the City of Miami Beach.

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RESOLUTION N	IO.	V

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, TO JOIN WITH COMMUNITIES ACROSS THE UNITED STATES IN PROCLAIMING APRIL 12-16, 2004 AS "NATIONAL COMMUNITY DEVELOPMENT WEEK" IN THE CITY OF MIAMI BEACH.

WHEREAS, the City of Miami Beach takes great pride in participating in the Community Development Block Grant (CDBG) Program, which has had a significant impact upon the City of Miami Beach through community development, capital improvements, housing, public services, historic preservation, and planning and program development; and

WHEREAS, the Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments with the resources required to meet the needs of persons of low- and moderate-income, and CDBG funds are used by thousands of neighborhood-based, nonprofit organizations throughout the nation to address pressing neighborhood improvements and public services needs; and

WHEREAS, the City of Miami Beach recognizes that thirty years of Community Development Block Grant funding has developed a strong network of relationships between this local government, residents, other local municipalities, and the many nonprofit agencies that provide services and help make possible a joint commitment to providing and preserving housing, and community development for the low and moderate income persons of Miami Beach; and

WHEREAS, the City of Miami Beach has, with its community partners, including other City departments, non-profit entities, community based organizations, community development corporations, and residents, addressed issues such as affordable housing, undertaking neighborhood revitalization, and providing public services;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, to join with communities across the United States in proclaiming April 12-16, 2004 as "National Community Development Week" in the City of Miami Beach.

APPROVED AND ADOPTED THIS	DAY OF	, 2004.
		MAYOR
ATTEST:		
CITY CLERK		APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

(T:\agenda\2004\0414\cdweekresolution no2004.doc)

CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



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A Resolution approving and adopting the SHIP Program Local Housing Assistance Plan for Fiscal Years 2004/05, 2005/6 and 2006/07.

Issue:

Shall the City adopt a resolution approving the SHIP Program Local Housing Assistance Plan for FYs 2004/05, 2005/06 and 2006/07.

Item Summary/Recommendation:

The administration recommends that the Mayor and the City Commission adopt a resolution approving the SHIP Program Local Housing Assistance Plan for FYs 2004/05, 2005/06 and 2006/07 as required by the SHIP Program Rule.

Advisory Board Recommendation:

On March 19, 2004, the Loan Review Committee recommended approval of the SHIP Program Local Housing Assistance Plan for FYs 2004/05, 2005/06 and 2006/07.

Financial Information:

Source of		Amount	Account	Approved
Funds:	1			
SHIP Program	2			
Program	3			
	4			
Finance Dept.	Total			

City Clerk's		

Vivian P. Guzman

Sign-Offs:

Sign-Oπs:		
Department Directo	or Assistant City Manag	ger City Manager
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AGENDA ITEM <u>C7H</u>
DATE <u>4-14-04</u>

MIAMI BEACH O F

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 http://ci.miami-beach.fl.us



DATE: April 14, 2004

COMMISSION MEMORANDUM NO.

TO:

Mayor David Dermer and

Members of the City Commission

FROM:

City Manager

Jorge M. Gonzalez

SUBJECT:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND ADOPTING THE ATTACHED LOCAL HOUSING ASSISTANCE PLAN FOR THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FOR STATE FISCAL YEARS 2004/05, 2005/06, AND 2006/07; AUTHORIZING THE NECESSARY CERTIFICATIONS BY THE MAYOR AND THE CITY CLERK; AND AUTHORIZING SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; FURTHER, AUTHORIZING THE APPROPIATION OF SHIP PROGRAM FUNDS FOR FISCAL YEAR 2004/05, IN THE AMOUNT OF \$429,255; AND FISCAL YEAR 2005/06, IN THE AMOUNT OF \$429,255; AND FISCAL YEAR 2006/07, IN THE AMOUNT OF \$429,255; OR THE FINAL ALLOCATION AMOUNT, AS ADJUSTED BY **FLORIDA** HOUSING **FINANCE CORPORATION:** AUTHORIZING THE APPROPRIATION OF ANY INTEREST ACCRUED THEREON, FOR ELIGIBLE ACTIVITIES UNDER THE RULE OF THE SHIP PROGRAM.

ADMINISTRATION RECOMMENDATION

Approve the Resolution.

<u>ANALYSIS</u>

The State Housing Initiatives Partnership (SHIP) Program, administered through the Florida Housing Finance Corporation (FHFC), was established by the 1992 William E. Sadowski Affordable Housing Act (Act) to stimulate the production of housing statewide. SHIP Program funds are derived from documentary stamp levies on real estate transactions. Annually, the FHFC allocates SHIP Program funds among participating jurisdictions on a formula basis.

On June 6, 2001, the City approved Resolution 2001-24447 adopting a Local Housing Assistance Plan (Plan) for State fiscal years 2001/02, 2002/03, and 2003/04. This current plan provides for the use of SHIP Program funds for rehabilitation, down payment assistance, closing cost assistance, and April 14, 2004 Commission Memorandum SHIP Local Housing Assistance Plan Page 2 of 3

homeownership training in relation to a Home Buyer Assistance Program to assist participants with an income of up to 120 percent of area median income (currently \$44,280 for a family of one). The current Local Housing Assistance Plan expires on June 30, 2004.

The SHIP Program requires that a new Local Housing Assistance Plan (Plan) for State fiscal years 2004/05, 2005/06, and 2006/07, be adopted by the City and submitted to the FHFC for review and approval by May 2, 2004. The Plan is to be implemented on July 1, 2004, and the SHIP Program allocation for the City is estimated to be \$429,255 for State fiscal year 2004/05. In accordance with the SHIP Program Rule, ten percent of the annual allocation, plus five percent of any accrued interest, is utilized by the City for program administration. The FHFC will not dispense SHIP Program funds to jurisdictions that do not have an adopted Plan in place.

The Administration has prepared the attached three-year Local Housing Assistance Plan covering State fiscal years 2004/05, 2005/06, and 2006/07, utilizing the format required by the FHFC. The proposed Plan incorporates the strategy of the current Local Housing Assistance Plan and continues to provide for SHIP Program funds to be used for rehabilitation, down payment assistance, closing cost assistance and home ownership training in relation to a Home Buyer Assistance Program to assist income-eligible participants. As in the current plan, the proposed Plan targets up to 50 percent of the funds to provide assistance to eligible City staff, and teachers from the Miami-Dade Public School System who agree to teach in Miami Beach, earning up to 120 percent of the a area median income.

In addition, the proposed Plan incorporates a new strategy providing for the use of SHIP funds towards the rehabilitation of multi-family buildings to be converted into condominium units to be offered through a home buyer program to income-eligible participants. In buildings with ten or less units, all the units will be provided to income-eligible participants in the home buyer program. In buildings with more than ten units, up to forty percent of the units will be provided through the program. The balance of the units will be sold at market rates and any profits realized will be utilized to provide additional homeownership opportunities. Therefore, this strategy is intended to increase the availability of units for the home buyer program while generating additional funding for the program.

On March 19, 2004, the City's Loan Review Committee reviewed the proposed Local Housing Assistance Plan and recommended that the Mayor and City Commission adopt the Plan. In accordance with the SHIP Program Rule, on Thursday, March 11, 2004, the City advertised a 30-day citizen comment period on the Local Housing Assistance Plan. No comments were received by the time the agenda for the City Commission meeting went to print.

During the last three years, and under the current Local Housing Assistance Plan, the City successfully utilized all the SHIP Program funds received from the FHFC. SHIP Program funds in

April 14, 2004 Commission Memorandum SHIP Local Housing Assistance Plan Page 3 of 3

the amount of \$1,905,955 were used to provide rehabilitation services for units bought by 54 income-eligible home buyers, of which eleven are City employees. Additionally, the SHIP Program funds were leveraged from the public and private sectors providing an additional \$3,602,526, for a total of \$5,508,481 in assistance for home ownership opportunities.

The annual SHIP Program funding allocations to the City may be adjusted by the FHFC depending on actual documentary stamp tax revenues collected by the State. Hence, the attached Resolution appropriates the amount of SHIP Program funds allocated to the City, or the final allocation amount as adjusted by the FHFC, for fiscal years 2004/05, 2005/06, and 2006/07, plus accrued interest on the funds, for eligible activities under the rules of the SHIP Program.

The Administration recommends approval of a Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving and adopting the attached Local Housing Assistance Plan (Plan) for the State Housing Initiatives Partnership (SHIP) Program for State fiscal years 2004/05, 2005/06, and 2006/07; authorizing the necessary certifications by the Mayor and the City Clerk; and authorizing submission of the Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation; further, authorizing the appropriation of SHIP Program funds for fiscal year 2004/05, in the amount of \$429,255; fiscal year 2005/06, in the amount of \$429,255; and fiscal year 2006/07, in the amount of \$429,255; or the final allocation amount, as adjusted by the Florida Housing Finance Corporation; and authorizing the appropriation of any interest accrued thereon, for fligible activities under the rules of the SHIP Program.

JMG/RCM/VPG/JR/MDC/TNU

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RESOLU	ΓΙΟΝ NO.	
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A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND ADOPTING THE ATTACHED LOCAL HOUSING THE **STATE ASSISTANCE PLAN FOR** HOUSING INITIATIVES **PARTNERSHIP** (SHIP) PROGRAM FISCAL YEARS 2004/05, 2005/06, AND 2006/07, AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 120.907-420.9079, FLORIDA **ADMINISTRATIVE** CODE: AUTHORIZING NECESSARY CERTIFICATIONS BY THE MAYOR AND THE CITY CLERK; AUTHORIZING SUBMISSION OF LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND FLORIDA HOUSING FINANCE APPROVAL BY THE CORPORATION: AUTHORIZING THE APPROPIATION OF SHIP PROGRAM FUNDS FOR FISCAL YEAR 2004/05, IN THE AMOUNT OF \$429,255; FISCAL YEAR 2005/06, IN THE AMOUNT OF \$429,255; AND FISCAL YEAR 2006/07, IN THE AMOUNT OF \$429,255; OR SUCH FINAL ALLOCATION AMOUNTS, AS ADJUSTED BY THE FLORIDA HOUSING CORPORATION; AND **AUTHORIZING FINANCE** APPROPRIATION **OF** ANY INTEREST ACCRUED THEREON, FOR ELIGIBLE ACTIVITIES UNDER THE SHIP PROGRAM RULES.

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act (the Act) on July 7, 1992, allocating a portion of new and existing documentary stamp taxes on deeds to local governments for development and maintenance of housing through the State Housing Initiatives Partnership (SHIP) Program; and

WHEREAS, the Act requires that in order to qualify for funding, local governments prepare and submit a Local Housing Assistance Plan outlining how the funds will be used; and

WHEREAS, on June 6, 2001, the Mayor and City Commission approved and adopted a City of Miami Beach Housing Assistance Plan for Fiscal Years 2001/02, 2002/03 and 2003/04 by Resolution No. 2001-24447 pursuant to the requirements of the Act and the SHIP Rule issued by the Florida Housing Finance Corporation; and

WHEREAS, it is found that 5% of the Local Housing Distribution is insufficient to adequately pay the administrative costs of the SHIP Program and the cost of administering the program may not exceed 10% of the local housing distribution; and

WHEREAS, the Administration has prepared a new Local Housing Assistance Plan, as attached to this Resolution, for Fiscal Years 2004/05, 2005/06, and 2006/07, in order to qualify to receive annual allocations of SHIP Program funds for eligible housing activities.

WHEREAS, this Resolution authorizes the appropriation of SHIP Program funds for Fiscal Year 2004/05, in the amount of \$429,255, Fiscal Year 2005/06, in the amount of \$429,255, and Fiscal Year 2006/07, in the amount of \$429,255; or such final allocation amounts, as adjusted by the Florida Housing Finance Corporation; and authorizes the appropriation of any interest accrued thereon, for eligible activities under the Rule SHIP Program Rules.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and adopt the attached Local Housing Assistance Plan for the State Housing Initiatives Partnership (SHIP) Program for Fiscal Years 2004/05, 2005/06 and 2006/07; authorize the necessary certifications by the Mayor and the City Clerk; authorize submission of the Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation; authorize the appropriation of SHIP Program funds for Fiscal Year 2004/05, in the amount of \$429,255, Fiscal Year 2005/06, in the amount of \$429,255, and Fiscal Year 2006/07, in the amount of \$429,255; or such final allocation amounts, as adjusted by the Florida Housing Finance Corporation; and authorize the appropriation of any interest accrued thereon, for eligible activities under the Rule SHIP Program Rules.

_ day of April, 2004.	
	MAYOR
-	•
_	_ day 0171pm, 2004.

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

-2-

CITY OF MIAMI BEACH

STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM

LOCAL HOUSING ASSISTANCE PLAN (LHAP)

FOR

FISCAL YEARS 2004/05, 2005/06 AND 2006/07



APRIL 14, 2004

For Information Contact:
Miguell Del Campillo, Housing Manager
Housing and Community Development Division
1700 Convention Center Drive
Miami Beach, FL 33139
(305) 673-7260 FAX: 673-7772

CITY OF MIAMI BEACH

State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan State Fiscal Year(s): 2004/05, 2005/06 and 2006/07

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CITY OF MIAMI BEACH State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan State Figure 1 Years (2): 2004/05, 2005/06 and 2006/07

State Fiscal Year(s): <u>2004/05</u>, <u>2005/06</u> and <u>2006/07</u>

I. PROGRAM DESCRIPTION

- a. City of Miami Beach
- b. The City of Miami Beach (City), a municipal corporation established under the laws of the State of Florida has designed this SHIP Housing Assistance Plan (hereafter referred to as the "Plan") to implement Miami Beach's SHIP Housing Assistance Program, pursuant to Sections 420.907 et seq., Florida Statutes. The Program was established to make affordable residential units available to persons with very low-income, low-income, moderate income, and persons with special housing needs. The SHIP Plan details specific strategies intended to increase the availability of decent, safe and affordable housing units by combining public and private resources to establish a local housing partnership which will reduce the cost of housing.

During State Fiscal Years 2004/05, 2005/06, and 2006/07, the City of Miami Beach will use 90 percent of the SHIP allocation for home ownership activities: new construction (in accordance with the City's adopted Consolidated Plan), housing rehabilitation, emergency repair, down payment assistance, closing cost assistance and/or home ownership training. Simultaneously, at least 75 percent of the SHIP allocation will be used to provide funds for construction activities: new construction (in accordance with the City's adopted Consolidated Plan), housing rehabilitation and emergency repair, which may include down payment assistance and/or closing cost assistance to newly constructed units or those receiving rehabilitation within 12 months of closing.

The Plan is based on the previous Housing Assistance Plan adopted by the City for Fiscal Years 2001/02, 2002/03, and 2003/2004. The Plan incorporates the provisions and strategies of the previously implemented Housing Assistance Plan. The City of Miami Beach has also adopted a number of development incentives to encourage the development of affordable units within Miami Beach. These incentives have been taken from the Local Housing Incentives Plan and are being incorporated into the Local Housing Assistance Plan as required by Chapter 67-37, Florida Administrative Code, and Section 420.907, et seq., Florida Statutes.

The City anticipates that an average of \$25,000 of SHIP funds will be used per unit assisted. The amount of the executed sales contract for each unit will not exceed ninety (90) percent of the median area purchase prices for existing and new houses, as established by the U.S. Department of the Treasury. This Plan complies with the requirements of Sections 420.907 et seq., Florida Statutes and Chapter 67-37, Florida Administrative Code and is not governed by an inter-local agreement.

- c. The Local Housing Assistance Plan will cover state fiscal year(s) 2004/05, 2005/06, and 2006/07.
- d. The City has adopted a Consolidated Plan as required by U.S. HUD. The Consolidated Plan identifies the City of Miami Beach's overall affordable housing needs and the strategy to address those needs. It provides guidance for the development of the strategies proposed under this Local Housing Assistance Plan, as well as other housing plans in effect at any given time. The preparation of the Consolidated Plan required an extensive amount of input from all sectors of the population. The City of Miami Beach (City) has consulted with local agencies, for-profit and non-profit organizations and citizens, and social service and housing providers, in order to obtain information on the housing needs in the City. Using this input, the City developed its Consolidated Plan which requires that an annual plan and progress reports be made available for public comment and input. The Local Housing Assistance Plan is consistent with the Consolidated Plan, as well as the Housing Element of the City's Comprehensive Plan.

The Plan is based on the previous Housing Assistance Plan adopted by the City for Fiscal Years 2001/02, 2002/03 and 2003/04. The Plan incorporates the provisions and strategies of the previously implemented Housing Assistance Plan.

The City worked closely with the designated Community Housing Development Organization (CHDO) in developing its Local Housing Assistance Plan. Also, the following groups active in local housing activities were furnished with a copy of the Local Housing Assistance Plan: the Miami Beach Chamber of Commerce, the North Beach Development Corporation (NBDC), Miami Beach Housing Authority (MBHA), and the Miami Beach Community Development Corporation (MBCDC), the City's designated Community Development Housing Organization (CHDO), whose President serves as the Chair of the Affordable Housing Coalition.

e. The following support services are available to the residents of affordable housing: youth services, childcare, elder services, health services, home delivery of meals, and employment training.

II. INTERLOCAL AGREEMENT (If applicable)

Not Applicable

III. LOCAL HOUSING PARTNERSHIPS

a. The City of Miami Beach has developed housing partnerships with several non-profit and private for-profit housing developers and agencies. The City works closely with the designated Community Housing Development Organizations (CHDO), CDBG sub-recipient organizations, community development corporations, local lenders, realtors, and

- others. These organizations are encouraged to participate in program activities and to assist in program implementation. The City has also worked closely with the Affordable Housing Coalition, which is composed of local housing providers and activists.
- b. The City of Miami Beach has implemented measures to reduce the cost of affordable housing. Some of the measures include: allocating funds under City's federally-funded Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Program to help reduce the cost of funds needed for property improvements; leveraging Miami-Dade County's Documentary Surtax Program to assist in home ownership activities; working with the Florida Power and Light Company to receive rebates for all energy improvements that are eligible under their approved Watt Wise Program for properties rehabilitated under the SHIP program; and leveraging Miami-Dade County's Documentary Surtax Program providing deferred payment loans to prevent additional cost burdens on low and very low income households.

IV. STRATEGIES

1. Individual Strategies

A. Rehabilitation

The City of Miami Beach will implement a multi-year strategy for State FY 2004/05, FY 2005/06 and FY 2006/07, to further the City's goals relative to home ownership opportunities. The City's SHIP Home Ownership Program will help very low, low, and moderate income buyers, and persons with special needs purchase affordable housing in Miami Beach, as follows: at least 30 percent of SHIP funds will be used to produce units that will be for very low income persons earning at or below 50 percent of the median income, at least 30 percent of SHIP funds will be used to produce units that will be for low income persons whose income is at or below 80 percent of the median income, and the remaining SHIP funds will be used to produce units for persons at a moderate income level, with earning between 80 percent and 120 percent of the median income level.

Up to 50 percent of the funds will be targeted to assist program participants who are eligible City of Miami Beach staff or eligible teachers from the Miami-Dade County Public Schools System who agree to teach in the City of Miami Beach. If the demand for assistance from this target population is not sufficient to fully utilize these funds, the balance of the funds will be used to assist participants who are not from the target group.

In order to implement this strategy, scattered sites (e.g. condominium units) will be acquired and rehabilitated, by a selected sponsor, thus providing affordable home ownership opportunities as well as improving the City's existing housing stock. Rehabilitation will be defined as repairs or improvements that are needed for safe or sanitary habitation, correction of substantial code violations, or the creation of additional living space. Housing that is rehabilitated with SHIP funds must meet all applicable local codes, rehabilitation standards, and ordinances including, but not limited to, zoning ordinances. All projects must comply

with the South Florida Building Code, the Miami-Dade County Building Code, and the City of Miami Beach Building Code. Additionally, all projects must comply with all other applicable laws, rules and regulations.

The City intends to exercise flexibility in determining whether condominium units for this strategy may be purchased at individual sites or to allow the purchase of several units in one building, not to exceed more than one fifth of the units in the building. In general, the City will stress the need for the spatial deconcentration of assisted housing units throughout the City.

The City of Miami Beach's Housing and Community Development Division will be the primary agency responsible for carrying out the strategies under the SHIP Housing Assistance Plan. The City anticipates that it will use a sponsor to carry out program activities. In order to identify a sponsor, the City will issue a Competitive Notice of Funding Availability (NOFA) for various not-for-profit and for-profit builders/developers to participate in the program. Through the competitive NOFA process, the City will ascertain the highest and best use of the funds in accordance with the guidelines outlined in this Plan. Selection criteria will include, but may not be limited to:

- (1) Ability to provide strong construction management practices and to provide first quality materials, including landscaping if applicable
- (2) Ability to perform all applicant selection and income certification processes in accordance with local, state, and federal regulations
- (3) Ability to comply with the City's reporting requirements
- (4) Total project cost
- (5) Total number of units
- (6) Leveraging
- (7) Ability to conform with the City's plan for spatial deconcentration
- (8) Ability to provide homeowners with Home Ownership Counseling
- (9) Ability to provide individualized training to homebuyers on issues such as home maintenance and budgeting
- (10) Ability to demonstrate that the organization participates in the WAGES and Workforce Development Initiative program

The Housing and Community Development Division staff will review all responses to the NOFA to ensure compliance with the requirements of the NOFA as well as the eligibility

requirements, as provided in the Florida Statutes, the SHIP Ordinance, Resolutions and this Plan. All eligible applications will be submitted to the City's Loan Review Committee. The Committee will review all applications in accordance with the criteria as outlined in the NOFA.

Eligible housing must be located within the corporate limits of Miami Beach, and preferably in one of the Community Development Target Areas. Eligible housing must conform to City Zoning requirements regarding use and density permitted (legal variances will be permitted). Manufactured housing, rental housing, and mobile homes shall not be considered eligible housing. All prospective condominium units must either be vacant or owner-occupied at the time of initial purchase, prior to re-sale to eligible SHIP recipients.

All potential applicants for the SHIP Home Ownership Program will be screened for income eligibility and homeowner readiness. Applicants will be processed from a waiting list on a first come first ready basis, subject to funding availability and in such manner as to comply with the statutory requirements. Since the City of Miami Beach's SHIP Housing Assistance Program is geared to providing units to very low, low and moderate income persons, the City anticipates it will exceed all SHIP set-aside requirements. Staff will review actual performance data to ensure that adjustments are made as necessary to remain in compliance with income targeting standards.

Award of SHIP funds will be in the form of a deferred payment loan secured by a Restrictive Covenant Agreement, or other recorded instrument. The maximum amount of SHIP funds allowable for assistance per unit will be \$40,000. If the unit is sold, transferred or ceases to serve as a primary residence, the homebuyer shall return to the City the full SHIP subsidy that enabled the homebuyer to buy the dwelling unit. The assisted unit must be occupied as a principal residence of the Owner, and may not be used as a rental. Use of the property for rental purposes is an event of default.

Recapture of SHIP funds used for the rehabilitation of the assisted units will be as follows: assisted units that received under \$10,000 will have a recapture period of five (5) years, and units that receive \$10,000 or more will have a recapture period of ten (10) years. If the unit is sold, transferred, rented or refinanced during the recapture period for the rehabilitation assistance, the Owner shall repay to the City the full amount of SHIP subsidy funds at the time of any such sale, transfer, rental or refinancing of the unit. Not withstanding the previous restrictions, the owner shall be allowed to refinance the premises without being subject to the provisions set forth therein so long as the amount of the refinancing does not exceed the then outstanding balance of the first mortgage. Subordination will only be approved if the refinancing will lower the current mortgage payment and/or interest rate. No cash out will be allowed.

In the event that title to the unit is transferred, as a result of the death of the Owner to a surviving heir, or any other heir designated by the Owner, and said heir occupies the unit as a principal residence, the household income qualifications requirements shall be waived. However, should an heir fail to occupy the unit as a principal residence within six (6) months

from the date of the Owner's death, the full amount of SHIP subsidy funds, shall become due and payable to the City within one year from the date of the Owner's death. In order to further ensure the enforcement of this subsection, any and all successors, heirs and assigns herein must obtain the prior written consent of the City Manager prior to the resale of the unit

Assisted units that comply with the requirements of the HOME rule as HOME eligible units will be utilized as HOME-Match units. When possible, the SHIP funds will be used with: U.S. Department of Housing and Urban Development HOME Program Funds, Community Development Block Grant (CDBG) Funds, other federal and state grant funds, and Miami-Dade County Documentary Surtax Funds.

B. New Construction

Proposals involving new construction will only be considered in accordance with the City's adopted Consolidated Plan adopted on July 1, 1998. To implement this strategy, new construction of scattered sites units (e.g. condominium units) will be undertaken by a selected sponsor, thus providing affordable home ownership opportunities as well as improving the City's housing stock.

The City intends to exercise flexibility in determining whether condominium units for this strategy may be purchased at individual sites or to allow the purchase of several units in one building, not to exceed more than one fifth of the units in the building. In general, the City will stress the need for the spatial deconcentration of assisted housing units throughout the City.

The City of Miami Beach will implement a multi-year strategy for State FY 2004/05, FY 2005/06, and FY 2006/07, to further the City's goals relative to home ownership opportunities. The City's SHIP Home Ownership Program will help very low, low, and moderate income buyers, and persons with special needs to purchase affordable housing in Miami Beach as follows: at least 30 percent of SHIP funds will be used to produce units that will be for very low income persons earning at or below 50 percent of the median income, at least 30 percent of SHIP funds will be used to produce units that will be for low income persons whose income is at or below 80 percent of the median income, and the remaining SHIP funds will be used to produce units for persons at a moderate income level earning between 80 percent and 120 percent of the median income level.

Up to 50 percent of the funds will be targeted to assist program participants who are eligible City of Miami Beach staff or eligible teachers from the Miami-Dade County Public Schools System who agree to teach in the City of Miami Beach. If the demand for assistance from this target population is not sufficient to fully utilize these funds, the balance of the funds will be used to assist participants who are not from the target group.

The City of Miami Beach's Housing and Community Development Division will be the primary agency responsible for carrying out the strategies under the SHIP Housing Assistance Plan. The City anticipates that it will use a sponsor to carry out program activities.

In order to identify a sponsor, the City will issue a Competitive Notice of Funding Availability (NOFA) for various not-for-profit and for-profit builders/developers to participate in the program. Through the competitive NOFA process, the City will ascertain the highest and best use of the funds in accordance with the guidelines outlined in this Plan. Selection criteria will include, but may not be limited to:

- (1) Ability to provide strong construction management practices and to provide first quality materials, including landscaping if applicable
- (2) Ability to perform all applicant selection and income certification processes in accordance with local, state, and federal regulations
- (3) Ability to comply with the City's reporting requirements
- (4) Total project cost
- (5) Total number of units
- (6) Leveraging
- (7) Ability to conform with the City's plan for spatial deconcentration
- (8) Ability to provide homeowners with Home Ownership Counseling
- (9) Ability to provide individualized training to homebuyer on issues such as home maintenance and budgeting
- (10) Ability to demonstrate that the organization participates in the WAGES and Workforce Development Initiative program

The Housing and Community Development Division staff will review all responses to the NOFA to ensure compliance with the requirements of the NOFA as well as the eligibility requirements, as provided in the Florida Statutes, the SHIP Ordinance, Resolutions and this Plan. All eligible applications will be submitted to the City's Loan Review Committee. The Committee will review all applications in accordance with the criteria as outlined in the NOFA.

Eligible housing must be located within the corporate limits of Miami Beach, and preferably in one of the Community Development Target Areas. Eligible housing must conform to City Zoning requirements regarding use and density permitted (legal variances will be permitted). Manufactured housing, rental housing, and mobile homes shall not be considered eligible housing. All prospective condominium units must either be vacant or owner-occupied at the time of initial purchase, prior to re-sale to eligible SHIP recipients.

All potential applicants for the SHIP Home Ownership Program will be screened for income

eligibility and homeowner readiness. Applicants will be processed from a waiting list on a first come first ready basis, subject to funding availability and in such manner as to comply with the statutory requirements. Since the City of Miami Beach's SHIP Housing Assistance Program is geared to providing units to very low, low and moderate income persons, the City anticipates it will exceed all SHIP set-aside requirements. Staff will review actual performance data to ensure that adjustments are made as necessary to remain in compliance with income targeting standards.

Award of SHIP funds will be in the form of a deferred payment loan secured by a Restrictive Covenant Agreement, or other recorded instrument. If the unit is sold, transferred or ceases to serve as a primary residence, the homebuyer shall return to the City the full SHIP subsidy that enabled the homebuyer to buy the dwelling unit. The assisted unit must be occupied as a principal residence of the Owner, and may not be used as a rental. Use of the property for rental purposes is an event of default.

Recapture of SHIP funds used for the rehabilitation of the assisted units will be as follows: assisted units that received under \$10,000 will have a recapture period of five (5) years, and units that receive \$10,000 or more will have a recapture period of ten (10) years. If the unit is sold, transferred, rented or refinanced during the recapture period for the rehabilitation assistance, the Owner shall repay to the City the full amount of SHIP subsidy funds at the time of any such sale, transfer, rental or refinancing of the unit. Notwithstanding the previous restrictions, the owner shall be allowed to refinance the Premises without being subject to the provisions set forth therein, so long as the amount of the refinancing does not exceed the then outstanding balance of the first mortgage. Subordination will only be approved if the refinancing will lower the current mortgage payment and/or interest rate. No cash out will be allowed.

If the unit is sold, transferred, rented or refinanced during the recapture period, the Owner shall repay to the City the full amount of SHIP subsidy funds at the time of any such sale, transfer, rental or refinancing of the unit. The assisted unit must be occupied as a principal residence of the Owner for the duration of the term set forth, and may not be used as a rental property during that period. Use of the property for rental purposes is an event of default.

In the event that title to the unit is transferred, as a result of the death of the Owner to a surviving heir, or any other heir designated by the Owner, and said heir occupies the unit as a principal residence, the household income qualifications requirements shall be waived. However, should an heir fail to occupy the unit as a principal residence within six (6) months from the date of the Owner's death, the full amount of SHIP subsidy funds, shall become due and payable to the City within one year from the date of the Owner's death. In order to further ensure the enforcement of this subsection, any and all successors, heirs and assigns herein must obtain the prior written consent of the City Manager prior to the resale of the unit.

Assisted units that comply with the requirements of the HOME rule as HOME eligible units will be utilized as HOME-Match units. When possible, the SHIP funds will be used with:

U.S. Department of Housing and Urban Development HOME Program Funds, Community Development Block Grant (CDBG) Funds, other federal and state grant funds, and Miami-Dade County Documentary Surtax Funds.

C. Closing Costs and Down Payment

In order to implement this strategy, Closing Costs and Down Payment Assistance will be made available for the purchase of scattered sites units (e.g. condominium units) undertaken by a selected sponsor, thus providing affordable home ownership opportunities to qualified persons.

The City intends to exercise flexibility in determining whether condominium units for this strategy may be purchased at individual sites or to allow the purchase of several units in one building, not to exceed more than one fifth of the units in the building. In general, the City will stress the need for the spatial deconcentration of assisted housing units throughout the City.

The City of Miami Beach will implement a multi-year strategy for State FY 2004/05, FY 2005/06, and FY 2006/07, to further the City's goals relative to home ownership opportunities. The City's SHIP Home Ownership Program will help very low, low, and moderate income buyers, and persons with special needs purchase affordable housing in Miami Beach, as follows: at least 30 percent of SHIP funds will be used to produce units for very low income persons earning at or below 50 percent of the median income, at least 30 percent of SHIP funds will be used to produce units for low income persons whose income is at or below 80 percent of the median income, and the remaining SHIP funds will be used to produce units for persons at a moderate income level earning between 80 percent and 120 percent of the median income level.

Up to 50 percent of the funds will be targeted to assist program participants who are eligible City of Miami Beach staff or eligible teachers from the Miami-Dade County Public Schools System who agree to teach in the City of Miami Beach. If the demand for assistance from this target population is not sufficient to fully utilize these funds, the balance of the funds will be used to assist participants who are not from the target group.

The City of Miami Beach's Housing and Community Development Division will be the primary agency responsible for carrying out the strategies under the SHIP Housing Assistance Plan. The City anticipates that it will use a sponsor to carry out program activities. In order to identify a sponsor, the City will issue a Competitive Notice of Funding Availability (NOFA) for various non-profit and for-profit builders/developers to participate in the program. Through the competitive NOFA process, the City will ascertain the highest and best use of the funds in accordance with the guidelines outlined in this Plan. Selection criteria will include, but may not be limited to:

- (1) Ability to Implement Closing Costs and Down payment Assistance Strategy (i.e., staffing, experience, facilities, etc.)
- (2) Ability to perform all applicant selection and income certification processes in accordance with local, state, and federal regulations

- (3) Ability to comply with the City's reporting requirements
- (4) Total project cost
- (5) Total number of units
- (6) Leveraging
- (7) Ability to conform with the City's plan for spatial deconcentration
- (8) Ability to provide homeowners with Home Ownership Counseling
- (9) Ability to provide individualized training to homebuyer on issues such as home maintenance and budgeting
- (10) Ability to demonstrate that the organization participates in the WAGES and Workforce Development Initiative program

The Housing and Community Development Division staff will review all responses to the NOFA to ensure compliance with the requirements of the NOFA as well as the eligibility requirements, as provided in the Florida Statutes, the SHIP Ordinance, Resolutions and this SHIP Plan. All eligible applications will be submitted to the City's Loan Review Committee. The Committee will review all applications in accordance with the criteria as outlined in the NOFA.

Eligible housing must be located within the corporate limits of Miami Beach, and preferably in one of the Community Development Target Areas. Eligible housing must conform to City Zoning requirements regarding use and density permitted (legal variances will be permitted). Manufactured housing, rental housing, and mobile homes shall not be considered eligible housing. All prospective condominium units must either be vacant or owner-occupied at the time of initial purchase, prior to re-sale to eligible SHIP recipients.

All potential applicants for the SHIP Home Ownership Program will be screened for income eligibility and homeowner readiness. Applicants will be processed from a waiting list on a first come first ready basis, subject to funding availability and in such manner as to comply with the statutory requirements. Since the City of Miami Beach's SHIP Housing Assistance Program is geared to providing units to very low, low and moderate income persons, the City anticipates it will exceed all SHIP set-aside requirements. Staff will review actual performance data to ensure that adjustments are made as necessary to remain in compliance with income targeting standards.

Award of SHIP funds will be in the form of a deferred payment loan secured by a Restrictive Covenant Agreement, or other recorded instrument. If the unit is sold, transferred or ceases to serve as a primary residence, the homebuyer shall return to the City the full SHIP subsidy

that enabled the homebuyer to buy the dwelling unit. The assisted unit must be occupied as a principal residence of the Owner, and may not be used as a rental. Use of the property for rental purposes is an event of default.

Recapture of SHIP funds used for the rehabilitation of the assisted units will be as follows: assisted units that received under \$10,000 will have a recapture period of five (5) years, and units that receive \$10,000 or more will have a recapture period of ten (10) years. If the unit is sold, transferred, rented or refinanced during the recapture period for the rehabilitation assistance, the Owner shall repay to the City the full amount of SHIP subsidy funds at the time of any such sale, transfer, rental or refinancing of the unit. Notwithstanding the previous restrictions, the owner shall be allowed to refinance the Premises without being subject to the provisions set forth therein, so long as the amount of the refinancing does not exceed the then outstanding balance of the first mortgage. Subordination will only be approved if the refinancing will lower the current mortgage payment and/or interest rate. No cash out will be allowed.

In the event that title to the unit is transferred, as a result of the death of the Owner to a surviving heir, or any other heir designated by the Owner, and said heir occupies the unit as a principal residence, the household income qualifications requirements shall be waived. However, should an heir fail to occupy the unit as a principal residence within six (6) months from the date of the Owner's death, the full amount of SHIP subsidy funds, shall become due and payable to the City within one year form the date of the Owner's death. In order to further ensure the enforcement of this subsection, any and all successors, heirs and assigns herein must obtain the prior written consent of the City Manager prior to the resale of the unit.

In the event that the assisted unit is a HOME-Match unit, then the recapture provisions of the HOME Program shall apply to the SHIP portion of the subsidy in the unit and shall supersede the above recapture provisions. When possible, the SHIP funds will be used with: U.S. Department of Housing and Urban Development HOME Program Funds, Community Development Block Grant (CDBG) Funds, other federal and state grant funds, and Miami-Dade County Documentary Surtax Funds.

D. Rehabilitation of Multi-family Buildings for Condominium Conversion

In order to implement this strategy, SHIP funds will be made available towards the rehabilitation of vacant multi-family buildings to be converted into condominium units to be offered through a home buyer program to income-eligible participants. In buildings with ten or less units, all the units will be provided to income-eligible participants in the home buyer program. In buildings with more than ten units, up to forty percent of the units will be provided through the program. The balance of the units will be sold at market rates and any profits realized will be utilized to provide additional homeownership opportunities. Sponsors will be required to establish a dedicated account for profits generated by this strategy and reinvestment into new homeownership opportunities.

The maximum amount of SHIP funds allowable for rehabilitation per unit will be \$40,000. Once the units are rehabilitated they will be offered as condominium units through the home buyer program to income-eligible participants. Up to \$40,000 in assistance per unit will be transferred to a home buyer participant in the form of a deferred payment loan secured by a Restrictive Covenant Agreement, or other recorded instrument.

Up to 50 percent of the funds will be targeted to assist program participants who are eligible City of Miami Beach staff or eligible teachers from the Miami-Dade County Public Schools System who agree to teach in the City of Miami Beach. If the demand for assistance from this target population is not sufficient to fully utilize these funds, the balance of the funds will be used to assist participants who are not from the target group.

The City of Miami Beach's Housing and Community Development Division will be the primary agency responsible for carrying out the strategies under the SHIP Housing Assistance Plan. The City anticipates that it will use a sponsor to carry out program activities. In order to identify a sponsor, the City will issue a Competitive Notice of Funding Availability (NOFA) for various not-for-profit and for-profit builders/developers to participate in the program. Through the competitive NOFA process, the City will ascertain the highest and best use of the funds in accordance with the guidelines outlined in this Plan. Selection criteria will include, but may not be limited to:

- (1) Ability to provide strong construction management practices and to provide first quality materials, including landscaping if applicable
- (2) Ability to perform all applicant selection and income certification processes in accordance with local, state, and federal regulations
- (3) Ability to comply with the City's reporting requirements
- (4) Total project cost
- (5) Total number of units

- (6) Leveraging
- (7) Ability to conform with the City's plan for spatial deconcentration
- (8) Ability to provide homeowners with Home Ownership Counseling
- (9) Ability to provide individualized training to homebuyers on issues such as home maintenance and budgeting
- (10) Ability to demonstrate that the organization participates in the WAGES and Workforce Development Initiative program

The Housing and Community Development Division staff will review all responses to the NOFA to ensure compliance with the requirements of the NOFA as well as the eligibility requirements, as provided in the Florida Statutes, the SHIP Ordinance, Resolutions and this Plan. All eligible applications will be submitted to the City's Loan Review Committee. The Committee will review all applications in accordance with the criteria as outlined in the NOFA.

Eligible housing must be located within the corporate limits of Miami Beach, and preferably in one of the Community Development Target Areas. Eligible housing must conform to City Zoning requirements regarding use and density permitted (legal variances will be permitted). Manufactured housing, rental housing, and mobile homes shall not be considered eligible housing. All prospective condominium units must either be vacant or owner-occupied at the time of initial purchase, prior to re-sale to eligible SHIP recipients.

All potential applicants for the SHIP Home Ownership Program will be screened for income eligibility and homeowner readiness. Applicants will be processed from a waiting list on a first come first ready basis, subject to funding availability and in such manner as to comply with the statutory requirements. Since the City of Miami Beach's SHIP Housing Assistance Program is geared to providing units to very low, low and moderate income persons, the City anticipates it will exceed all SHIP set-aside requirements. Staff will review actual performance data to ensure that adjustments are made as necessary to remain in compliance with income targeting standards.

Award of SHIP funds will be in the form of a deferred payment loan secured by a Restrictive Covenant Agreement, or other recorded instrument. The maximum amount of SHIP funds allowable for assistance per unit will be \$40,000. If the unit is sold, transferred or ceases to serve as a primary residence, the homebuyer shall return to the City the full SHIP subsidy that enabled the homebuyer to buy the dwelling unit. The assisted unit must be occupied as a principal residence of the Owner, and may not be used as a rental. Use of the property for rental purposes is an event of default.

Recapture of SHIP funds used for the rehabilitation of the assisted units will be as follows:

assisted units that received under \$10,000 will have a recapture period of five (5) years, and units that receive \$10,000 or more will have a recapture period of ten (10) years. If the unit is sold, transferred, rented or refinanced during the recapture period for the rehabilitation assistance, the Owner shall repay to the City the full amount of SHIP subsidy funds at the time of any such sale, transfer, rental or refinancing of the unit. Not withstanding the previous restrictions, the owner shall be allowed to refinance the premises without being subject to the provisions set forth therein so long as the amount of the refinancing does not exceed the then outstanding balance of the first mortgage. Subordination will only be approved if the refinancing will lower the current mortgage payment and/or interest rate. No cash out will be allowed.

In the event that title to the unit is transferred, as a result of the death of the Owner to a surviving heir, or any other heir designated by the Owner, and said heir occupies the unit as a principal residence, the household income qualifications requirements shall be waived. However, should an heir fail to occupy the unit as a principal residence within six (6) months from the date of the Owner's death, the full amount of SHIP subsidy funds, shall become due and payable to the City within one year from the date of the Owner's death. In order to further ensure the enforcement of this subsection, any and all successors, heirs and assigns herein must obtain the prior written consent of the City Manager prior to the resale of the unit

Assisted units that comply with the requirements of the HOME rule as HOME eligible units will be utilized as HOME-Match units. When possible, the SHIP funds will be used with: U.S. Department of Housing and Urban Development HOME Program Funds, Community Development Block Grant (CDBG) Funds, other federal and state grant funds, and Miami-Dade County Documentary Surtax Funds.

Homeownership Training

All recipients of SHIP Program funds will be required to offer Home Ownership Training to prospective homebuyers and homeowners. Home Ownership Training will help to assist and prepare homebuyers for the acquisition and ownership of a home. Counseling services will be provided on a group and individual basis covering the following topics: the home buying process, finding money for a down payment, dealing with financial crisis, how to set up a budget, the importance of good credit, dispute resolution, and how to maintain a home. Home Ownership Training must meet the standards set by U.S. HUD.

2. Incentives

The Mayor and City Commission of the City of Miami Beach, Florida, adopted an Affordable Housing Incentives Plan on April 2, 1996, in compliance with City of Miami Beach Ordinance No. 95-2989, City of Miami Beach Resolution No. 95-21556, the Florida Administrative Code, and section 420.9076, Florida Statutes. The following incentives have

been adopted and incorporated into the Plan.

- A. The definition originally adopted by the City defined "Affordable" in accordance with the provisions of the SHIP Program Rule at the time. Since then, the SHIP Program Rule has been amended. Therefore, in accordance with the amended SHIP Program Rule, the City adopted the following definition. "Affordable" means that monthly mortgage payments, including taxes and insurance do not exceed 30 percent of an amount representing the percentage of the area's median annual gross income for the household as indicated in subsections (28), (29), or (41). However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing. Housing for which a household's ability to devote more than 30 percent of its income shall be deemed affordable if the institutional first mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark. The incentive is functioning as intended. The incentive was implemented by City of Miami Beach Ordinance No. 95-2989 and Resolution No. 95-21567.
- B. The City of Miami Beach has implemented "the expedited processing of permits for affordable housing projects." This incentive gives priority to designated affordable housing projects when scheduling Pre-Design Conferences with all relevant agencies including but not limited to: Fire, Planning & Zoning, Building, Historic Preservation, Public Works, Americans with Disabilities Act (ADA), and the Housing and Community Development Division of the Neighborhood Services Department. Also, when the plans are ready for permitting, first priority is given to them; further the City has developed a form to identify the projects reviewed by the Housing Division. The form is included in the permit application package to indicate that the project is designated as meeting the affordable housing criteria. The Housing Director acts as liaison to coordinate and expedite the application with all relevant agencies. The incentive is functioning as intended. It was enacted by administrative action on February 24, 1997.
- C. The City of Miami Beach has implemented a process by which the City considers, before adoption, procedures and policies that have a significant impact on the cost of housing. Prior to the adoption of any proposed policy, procedure, Ordinance, Development Plan regulation or Comprehensive Plan amendment that might impact housing, the City evaluates its potential effect and cost on affordable housing. All such items are submitted to the City's Housing and Community Development Division for review and analysis to determine if the effect is significant. The Housing Division may provide proposed legislation to applicable Boards and Committees for review. The incentive is currently working as intended. It was enacted by administrative action on February 24, 1997.

V. TIMETABLE FOR EXPENDITURE

Timetables for the expenditure of SHIP funds for State Fiscal Years 2004/05, 2005/06 and 2006/07 are located in the appendix of this document. The strategies under this SHIP Housing Assistance Plan shall be monitored on an ongoing basis to ensure that SHIP Funds are expended in a timely manner. As a Plan contingency, if the City determines that SHIP Funds can not be fully expended within the established time frame by a current strategy, the City will retarget funding to facilitate the prompt expenditure of funds. Funds will be retargeted to populations with higher demands for services and/or reallocated to strategies that are functioning as intended. The Housing Division will establish a system to ensure that adequate records are kept and maintained for compliance with monitoring requirements.

VI. AFFORDABILITY

a. Homeownership

As required by the Florida Housing Finance Corporation, the City's SHIP Program will assist very low income (50 percent of median income) buyers, low income (80 percent of median income) buyers, and moderate income (80 percent to 120 percent of median income) buyers, and persons with special needs, to purchase affordable housing in Miami Beach.

Annual income limits adjusted for family size, as established by the Florida Housing Finance Corporation, will be used to determine applicant eligibility for the program. These guidelines are established and updated by the U.S. Department of Housing and Urban Development to determine gross annual household income.

Affordable means that monthly mortgage payments including taxes and insurance do not exceed 30 percent of the median annual gross income for the households. However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark.

b. Rental (If applicable)

Not Applicable

VII. ADVERTISEMENT AND OUTREACH

a. The City will utilize local print media, including advertising in publications read by area minority groups. The City may announce the availability of SHIP funds through announcements at community and civic group meetings, flyers to social services agencies,

and through its internal communications network. The SHIP programs will be affirmatively marketed without regard to race, creed, religion, color, age, sex, sexual orientation, marital status, familial status, handicap or national origin.

b. The City of Miami Beach will publish the Notice of Funding Availability (NOFA) for the SHIP funds in a local newspaper of general circulation at least 30 days prior to accepting applications for assistance.

VIII. ADMINISTRATIVE EXPENSES

a. The City of Miami Beach's Housing Division is responsible for the administration of the SHIP Program. The City Staff prepares and implements the Local Housing Assistance Plan. The Staff prepares Resolutions and all other necessary documentation for approval by the City Commission including amendments to the Plan. In addition, City staff prepares and submits to the Florida Housing Finance Corporation (FHFC) the required annual reports. The City also interacts with the FHFC and prepares all advertisements.

The Staff prepares and evaluates the Notices of Funding Availability (NOFA) to secure program sponsors. The Staff prepares and implements necessary agreements with the sponsors selected to provide services. The City conducts ongoing monitoring of the sponsors for compliance with the Plan and operates the SHIP Tracking System. The Staff also reviews requests for reimbursements provided by the sponsors and prepares documentation of corresponding payments. Other Staff functions include inspections and technical assistance.

- b. Up to ten (10) percent of the SHIP allocation will be utilized to offset administrative expenses for the program.
- c. A detailed listing of administrative expenditures for each fiscal year of the Plan is outlined in Table 1. The table includes the salary for one full-time Housing Specialist.

Table of Administrative Expenses

Administrative Expenses	FY 2004/05	FY 2005/06	FY 2006/07
Salaries	\$42,405.	\$42,405	\$42,405
Advertising/Marketing	\$ 520	\$ 520	\$ 520
Miscellaneous	\$ 0	\$ 0	\$ 0
Total Expenses (10% of Allocation)	\$42,925	\$42,925	\$42,925

Note: For FY 2005/06 and FY 2006/07 allocation amounts have been projected based on the estimated allocation provided by the Florida Housing Finance Corporation for FY 2004/05.

d. The City of Miami Beach currently does not intend to use outside consultants as a part of its SHIP Program.

CERTIFICATION TO FLORIDA HOUSING FINANCE CORPORATION

Local Government: <u>City of Miami Beach</u> <u>County/City</u>

- (1) The local government will advertise the availability of SHIP funds pursuant to Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, creed, color, age, sex, familial or marital status, handicap, religion, or national origin.
- (3) A process for selection of recipients for funds has been developed.
- (4) The eligible municipality or county has developed a qualification system for applications for awards.
- (5) Recipients of funds will be required to contractually commit to program guidelines.
- (6) The Florida Housing Finance Corporation will be notified promptly if the local government (or interlocal entity) will be unable to comply with the provisions of the plan.
- (7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.
- (8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.
- (9) Amendments to the approved Local Housing Assistance Plan shall be provided to the Corporation with in 21 days after adoption.
- (10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities such as interest earned on loans.
- (11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation as soon as available.
- (13) An interlocal entity shall have its local housing assistance trust fund separately audited for each state fiscal year, and the audit forwarded to the Corporation as soon as possible.

(14)	SHIP	funds	will	not be	pledge	1 for	debt	service	on	bonds	or	as re	ent	subsidies.
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- (15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.
- (17) Rental Units constructed or rehabilitated with SHIP funds shall be monitored at least annually for 15 years for compliance with tenant income requirements and affordability requirements.

Witness	Chief Elected Official
	David Dermer, Mayor
Witness	Type Name and Title
	April 14, 2004
	Date
OR	
Attest:	
(Seal)	

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

A resolution setting a public hearing to consider the temporary (six months) establishment of nine (9) onstreet parking spaces and a temporary (six months) restricted residential parking program for the Vistas Condominiums Homeowners on the Venetian Causeway between Island Avenue and Century Lane.

issue:

Should A Public Hearing Be Set To Consider A Temporary Restricted Residential Parking Zone For The Vistas Condominiums Homeowners?

Item Summary/Recommendation:

The Administration held a publicly noticed workshop on April 7, 2004, with affected residents to receive input and comments regarding the establishment of a temporary residential parking program by temporarily establishing nine (9) on-street parking spaces on the north side of the Venetian Causeway between Island Avenue and Century Lane. At the workshop, a majority of the participants voted to proceed with the establishment of said on-street parking spaces and the temporary restricted residential parking program.

Advisory Board Recommendation:

The Transportation and Parking Committee endorsed the recommendation at their regularly scheduled meeting held on Monday, February 2, 2004.

Financial Information:

Amount to be exp	ended:			
Source of		Amount	Account	Approved
Funds:	1		activa la comunazione della constitue per da finalità	
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Finance Dept.	Total			

Sign-Offs:

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Department Director	Assistant City Manager	City Manager
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AGENDA ITEM <u>C7I</u>

DATE <u>Y-14-04</u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.ci.miami-beach.fl.us



Date: April 14, 2004

COMMISSION MEMORANDUM

To: Mayor David Dermer and

Members of the City Commission

From: Jorge M. Gonzalez

City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF

MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING TO CONSIDER THE TEMPORARY (SIX MONTHS) ESTABLISHMENT OF NINE (9) ON-STREET PARKING SPACES AND A TEMPORARY (SIX MONTHS) RESTRICTED RESIDENTIAL PARKING PROGRAM FOR THE VISTAS CONDOMINIUMS HOMEOWNERS ON THE VENETIAN CAUSEWAY BETWEEN ISLAND

AVENUE AND CENTURY LANE.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The City of Miami Beach Parking Department received a request from the Vistas' Condominiums HOA (Home Owners Association), located at One Century Lane, requesting the establishment of a temporary restricted residential parking zone for their respective residents. The Vistas' pool deck and parking garage will undergo renovations that will render the facilities useless during its renovations displacing residents and visitor parking. On February 25, 2004, the Mayor and Commission approved a resolution establishing a parking emergency due to their parking structure's renovations and allowed for the use of the vacant lot, located on the 1200 block of 17th Street (Housing Authority Lot) for the purpose of providing temporary parking for residents.

In furtherance of this relief, the Vistas is requesting to temporarily establish on-street parking on the Venetian Causeway between Century Lane and Island Avenue to provide parking within close proximity of the residences for loading/unloading of passengers and/or goods/services; disabled and/or temporary disabled parking; and visitor parking. This would allow for nine (eight parking spaces and one disabled space) on-street parking spaces on the north side of the Venetian Causeway between Island Avenue and Century Lane. The Venetian Causeway is a Miami-Dade County road and this temporary allowance of on-street parking would require the County's approval. A permit application has been submitted to the County. In addition, the Vistas has committed to funding the costs of the improvements as well as the cost of returning the area to its original condition through the use of the residential parking program.

Commission Memorandum Vistas/Venetian Causeway On-Street Parking April 14, 2004 Page 2

The Administration held a publicly noticed workshop at 6:00 P.M. on Wednesday, April 7, 2004, with residents of the affected areas. Notices were distributed to all residents in the neighborhood and within 375 feet of the affected areas. Participants had an opportunity to review, comment, and provide input towards the proposed temporary residential parking program. As a result, a majority of the residents in attendance concurred with the proposed on-street parking plan and residential program as a temporary solution.

The City's Transportation and Parking Committee endorsed this recommendation at their regularly scheduled meeting held on Monday, February 2, 2004. Therefore, pursuant to Article II, entitled, "Metered Parking", of the Miami Beach City Code, Chapter 106-78, entitled, "Creation of residential parking area", the Mayor and City Commission must hold a public hearing to consider the establishment of a residential parking zone for the Vistas Condominiums Homeowners, located at One Century Lane.

CONCLUSION

A public hearing should be called before the Mayor and Commission in their Chambers on the Third Floor of City Hall, 1700 Convention Center Drive, Miami Beach, Florida, at 5:01 P.M. on Wednesday, May 5, 2004, and the City Clerk should publish appropriate Public Notice of the said Public Hearing in a newspaper and general circulation in the City of Miami Beach, at which time and place all interested parties will be heard.

JMG/CMC/SF

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RESOLUTION	NO.	

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING TO CONSIDER THE TEMPORARY ESTABLISHMENT OF NINE (9) ON-STREET PARKING SPACES AND A TEMPORARY RESTRICTED RESIDENTIAL PARKING PROGRAM, NOT TO EXCEED A TERM OF SIX MONTHS, FOR THE VISTAS CONDOMINIUM, LOCATED AT ONE CENTURY LANE; SAID PARKING PROGRAM TO BE ESTABLISHED ON THE VENETIAN CAUSEWAY, BETWEEN CENTURY LANE AND ISLAND AVENUE.

WHEREAS, the City has received a request from homeowners of the Vistas Condominiums, located at One Century Lane, requesting the establishment of nine (9) on-street parking spaces, and a temporary restricted residential parking zone on the Venetian Causeway, between Century Lane and Island Avenue; and

WHEREAS, the Vistas Condominium Homeowners parking garage and pool deck will undergo renovations that will render those facilities, particularly the garage, temporarily inoperative and inaccessible; and

WHEREAS, the proposed temporary on-street parking and establishment of the proposed restricted residential parking program will provide a temporary parking remedy; and

WHEREAS, a publicly noticed workshop was held on April 7, 2004, with residents of the affected areas, and said notices were distributed to residents within 375 feet of the affected areas; and

WHEREAS, participants had an opportunity to review, comment, and provide input toward the proposed temporary residential parking program for the area; and

WHEREAS, a majority of the residents in attendance concurred with the recommendations and voted to proceed with establishment of the proposed residential parking program, and the temporary establishment of nine (9) on-street parking spaces, on the north side of the Venetian Causeway, between Island Avenue and Century Lane; and

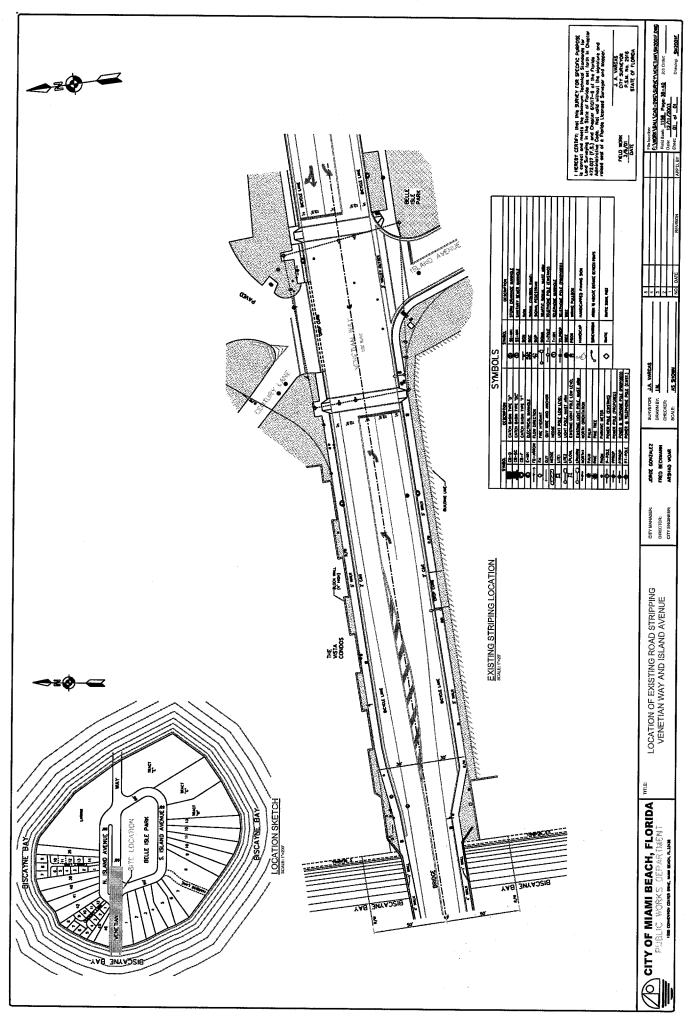
WHEREAS, the Transportation and Parking Committee has reviewed the Vistas Condominium's request for establishment of a temporary residential parking program and on-street parking spaces, and endorsed the establishment of said temporary program and spaces on February 2, 2004; and

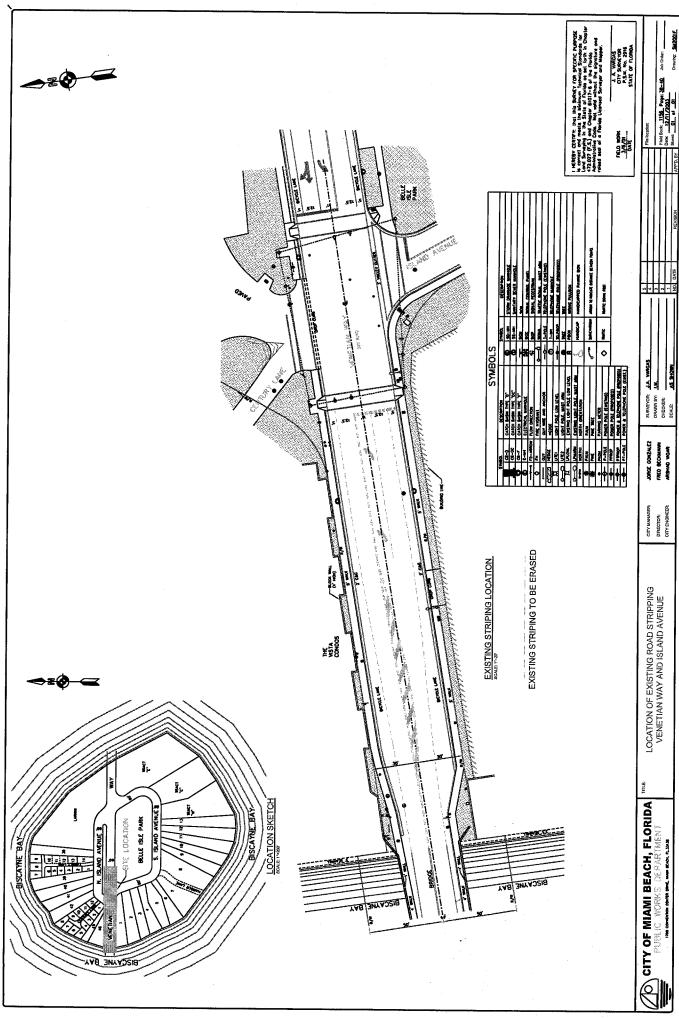
WHEREAS, pursuant to Article II, entitled, "Metered Parking", of the Miami Beach City Code, and Section 106-78, entitled, "Creation of Residential Parking Area", the Mayor and City Commission must now hold a public hearing to consider the creation of a temporary restricted residential parking zone.

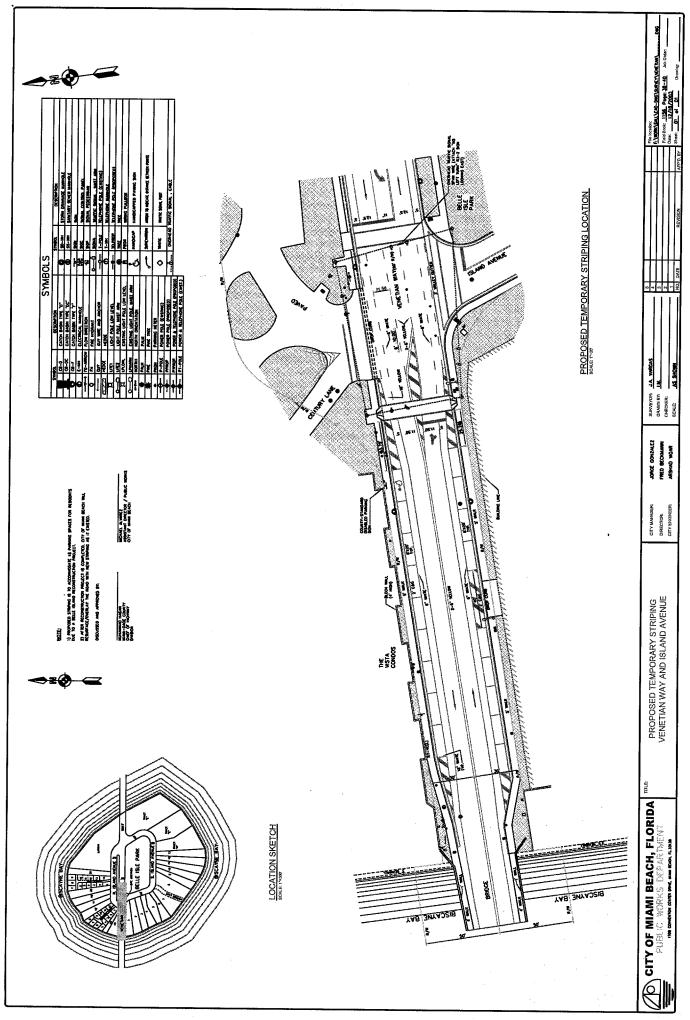
NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that a public hearing to consider the establishment of a temporary restricted residential parking program, and nine (9) on-street parking spaces, both not to exceed a term of six months, and to be located on the north side of the Venetian Causeway, between Island Avenue and Century Lane, for the Vistas Condominiums, located at One Century Lane, is hereby called to be held before the Mayor and City Commission in their Chambers on the Third Floor of City Hall, 1700 Convention Center Drive, Miami Beach, Florida, at 5:01 P.M. on Wednesday, May 5, 2004, and the City Clerk is hereby authorized and directed to publish appropriate Public Notice of said Public Hearing at which time and place all interested parties will be heard.

PASSED AND ADOPTE	D this day of	, 2004.
	MAYOR	_
ATTEST:	APPROVED A FORM & LANC & FOR EXECU	BUAGE
CITY CLERK	M. Cky Attorney	4-6-09 Date
JMG/CMC/SF	40/	

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CITY OF MIAMI BEACH COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving, appropriating, and authorizing the establishment of a work order in the amount of \$94,000 from Parking Revenue Bond Fund No. 481 for the purchase and installation of a POF (Pay on Foot) Pay Station; and approve a waiver of the competitive bidding process by a 5/7th vote in the best interest of the City.

issue:

Should the Mayor and Commission approve, appropriate, and authorize the establishment of a work order in the amount of \$94,000 for the purchase and installation of a POF (Pay on Foot) Pay Station for the 13th Street and Collins Avenue Parking Garage; and approve a waiver for the competitive bidding process by a 5/7th vote in the best interest of the City?

Item Summary/Recommendation:

The Parking Department is recommending a phased implementation of POF (Pay on Foot) stations at attended parking facilities. The initial installation is recommended at the 13th Street and Collins Avenue Parking Garage. The 13th Street Garage is a prime candidate as it currently operates as a central cashiering operation due to the inability to place an exit booth within the exit lane due to space constraints. This technology is simply taking the existing operation one step further with a significant technological enhancement, the POF (Pay on Foot) Pay Station. The automatic pay station (see attachment) is Royce Parking Control Systems' (existing vendor) option for pay on foot. The POF is an ATM type technology designed to improve our cash management, lower our labor costs and operational expenses, and improve customer service. If this initiative is approved, there will be an operational expense savings of \$107,000 in the first year alone at this facility, providing an ROI (return on investment) of less than one (1) year while maintaining existing service levels and improving audit controls. Cash management is improved as cashiers would no longer handle transactions and/or cash. The POF Pay Station is a self-contained unit with secured cash boxes and full auditing capabilities. Customer service is improved as patrons have multiple payment alternatives at their fingertips and they no longer have to wait in queues in the exit lane. In fact, the system is capable of handling special event transactions where a flat rate may be programmed and the patron may pay their parking fees at any point in time of their stay. The Administration recommends the approval of a waiver of the competitive bidding process by a 5/7th vote as it is in the best interest of the City as "Royce" is the only vendor that may furnish parking revenue control equipment that is compatible with the existing parking revenue control system.

Advisory Board Recommendation:

The Transportation and Parking Committee endorsed the recommendation at their regularly scheduled meeting held on Monday, April 12, 2004.

Financial Information:

Source of		Amount	Account	Approved
Funds:	1	\$94,000	Parking Revenue Bond Fund 481	
	2			
	3			
	4			
Finance Dept.	Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager
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AGENDA ITEM _____/

DATE 4-14-04

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

Date:

April 14, 2004

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, APPROPRIATING, AND ESTABLISHING A WORK ORDER IN THE AMOUNT OF \$94,000 FROM PARKING REVENUE BOND FUND NO. 481 FOR THE PURCHASE AND INSTALLATION OF A POF (PAY ON FOOT) STATION; AND APPROVING A WAIVER OF THE COMPETITIVE BIDDING PROCESS BY A 5/7TH VOTE IN THE BEST INTEREST OF

THE CITY.

FUNDING:

\$94,000

Funds are available from Parking Revenue Bond Fund 481 for the purpose of purchasing and installing a POF (pay on foot) station.

PURCHASING AUTHORITY:

Royce Parking Control Systems, Inc. is the authorized distributor of Federal APD Parking Revenue Control Equipment. The Administration recommends that the Mayor and Commission approve the waiver of the competitive bidding process by a 5/7th vote in the best interest of the City as "Royce" is the only vendor that may furnish parking revenue control equipment that is compatible with the existing citywide parking revenue control system.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS:

In our continued effort to improve [parking] services to residents and visitors alike, the Parking Department is recommending a phased implementation of POF (Pay on Foot) stations at attended parking facilities. The initial installation is recommended at the 13th Street and Collins Avenue Parking Garage. There are various advantages to migrating to this technology. The 13th Street Garage is a prime candidate as it currently operates as a central cashiering operation due to the inability to place an exit booth within the exit lane due to space constraints. Therefore, this technology is simply taking the existing operation one step further with a significant technological enhancement, the POF (Pay on Foot) Pay Station. The automatic pay station (see attachment) is the existing gated parking revenue

Commission Memorandum – POF (Pay on Foot) Station April 14, 2004

Page 2

control vendor's (Royce Parking Control Systems) option for pay on foot. The POF is an ATM type technology designed to improve our cash management, lower our labor costs and operational expenses, and improve customer service. The following is a brief account of the patron's transaction. A patron drives into a facility and receives a magnetically striped ticket from the ticket dispenser as they currently do in any of our gated facilities. The patron will go about their business and upon returning to the facility for exiting will pay their parking fees at a POF Pay Station. The patron approaches the POF and will:

- Insert their ticket; and
- POF will calculate their stay and compute their fee and display the amount owed; and
- Patron will insert payment by either cash* or credit card or CMB Smart Card (debit card); and
- POF will return the ticket to the patron encrypted with a code as being "paid";
 and
- Patron will have a prescribed time frame (i.e., 15 minutes) to retrieve their vehicle and insert the "encrypted" ticket into the exit verifier at the exit lane; and
- The exit verifier will scan ticket to confirm payment code and lift the gate to allow a successful exit.

*POF has capability to provide change.

In future installations, as a contingency in the unlikely case that a patron forgot to use the POF Pay Station, the system may be equipped with a credit/debit card acceptor at the exit verifier (exit lane) in order to allow the patron a "last chance" opportunity to pay for their parking fees. In all cases, including the 13th Street Garage, there will be several parking spaces set aside for patrons that inadvertently forgot to use the POF and need to temporarily park to satisfy their parking fees.

Reduced Labor Expenses:

The 13th Street and Collins Avenue Garage is currently operated as a central cashiering operation with a contract labor cashier/attendant providing the labor. The POF Pay Station will simply replace the cashier/attendant. If this initiative is approved, there will be an operational expense savings of \$107,000 in the first year alone at this facility, providing an ROI (return on investment) of less than one (1) year while maintaining existing service levels and improving audit controls. It is important to note that other service levels will remain constant as a labor contract supervisor and a security guard will be maintained in the facility 24 hours a day/seven days a week/365 days a year. The \$107,000 operational expense is strictly the cashier/attendant labor savings. It is the intent of the Administration to proceed with the installation of POF Pay Stations wherever practicable.

The financial impact of the City's Living Wage Ordinance has significantly increased operational costs. In fact, security expense increased by 52% upon implementation of living wage rates and the cashiers/attendants and supervisors labor contract that is currently being competitively bid is expected to have similar impacts. These and other escalating costs coupled with marginal revenue increases require us to look towards

Commission Memorandum – POF (Pay on Foot) Station April 14, 2004

Page 3

increased efficiencies either through enhanced technologies and/or other innovative strategies. Clearly, the human element cannot be completely removed from this equation as some level of interaction with the customer will always be necessary; however, the prospect of decreasing labor costs annually by \$107,000 per cashier/attendant is certainly an avenue we recommend should be pursued. This is magnified even further when considering its potential effect system-wide where savings may equate to multiple cashiers per facility.

Improved Cash Management:

Cash management is improved as cashiers are no longer handling transactions and/or cash. The POF Pay Station is a self-contained unit with secured cash boxes and full auditing capabilities. The POF Pay Station is linked to the garage's central computer located in the garage manager's office where perpetual diagnostics are performed to ensure its efficient operation. All other garage revenue control equipment, including existing software/hardware, ticket dispensers, gates, and monthly access card readers remain operational and intact.

Improved Customer Service:

Customer service is improved as patrons have multiple payment alternatives at their fingertips and they no longer have to wait in queues in the exit lane. In fact, the system is capable of handling special event transactions where a flat rate may be programmed and the patron may pay their parking fees at any point in time of their stay. Future enhancements may include a remote payment option whereby a patron may be able to pay their parking fee at a POF Pay Station at a remote site.

Conclusion:

In conclusion, it is the Administration's goals to proceed with operational and technological enhancements that provide the most options and flexibility; have a proven track record in other communities; provides operational efficiencies and cost savings; and is our best overall value for our investment. The Administration recommends that the Mayor and Commission approve, appropriate, and authorize the establishment of a work order in the amount of \$94,000 from Parking Revenue Bond Fund No. 481 for the purchase and installation of a POF (Pay on Foot) Pay Station.

T:agendas/2004/april14/consent/pofpaystationappropriation.cme.doc JMG/Ctd/4/SF

RESOL	UTION	NO.	

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A WAIVER. BY 5/7TH VOTE. OF THE COMPETITIVE REQUIREMENTS, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND FURTHER APPROVING. APPROPRIATING FUNDS FOR, AND ESTABLISHING A WORK ORDER, IN THE AMOUNT OF \$94,000, FROM PARKING REVENUE BOND FUND NO. 481, FOR THE PURCHASE AND INSTALLATION OF A PAY ON FOOT (POF) STATION FROM ROYCE PARKING CONTROL SYSTEMS, TO BE INITIATED AT THE 13TH STREET AND COLLINS AVENUE GARAGE.

WHEREAS, the Parking Department is seeking operational efficiencies and technology enhancements to improve operation of its attended parking facilities; and

WHEREAS, the City has contracted with Royce Parking Control Systems in the past; Royce is the local authorized distributor of Federal APD parking revenue control equipment, which is the parking revenue control equipment utilized in all attended parking facilities that the City's Parking Department operates; and

WHEREAS, the purchase of a different revenue control system would create operational inefficiencies and increase operational costs by having a stand alone system in one facility; and

WHEREAS, Royce Parking Control Systems provides a Pay on Foot (POF) pay station that will allow for reduced labor and operational costs, improved cash management, and improved customer service; and

WHEREAS, this technology provides reduced labor costs by replacing a cashier/attendant with a POF pay station, at an estimated cost saving of \$107,000 annually; and

WHEREAS, this technology will improve customer convenience by providing for alternative payment options, including bills, credit cards, and the City of Miami Beach Smart Card; and

WHEREAS, the Parking Department recommends that the initial installation of this technology be at the 13th Street and Collins Avenue Garage; and

WHEREAS, the Transportation and Parking Committee endorsed the purchase and installation of the POF pay station at the 13th Street and Collins Avenue Garage at its meeting on Monday, April 12, 2004; and

WHEREAS, the Administration would recommend that the Mayor and City Commission waive the competitive bidding requirement in this instance; as Royce Parking Control Systems is the only vendor that may provide revenue control equipment that is compatible with the system currently in place in all of the City's facilities, said waiver would be in the best interest of the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission approve a waiver, by 5/7th vote, of the competitive bidding requirements, finding such waiver to be in the best interest of the City, and further, approving, appropriating funds for, and establishing a work order, in the amount of \$94,000, from Parking Revenue Bond Fund No. 481, for the purchase and installation of a Pay on Foot (POF) Station from Royce Parking Control Systems, to be initiated at the 13th Street and Collins Avenue Garage.

PASSED AND ADOPTED this	_ day of	, 2004
		MAYOR
ATTECT.		
ATTEST:		
		APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION
CITY CLERK		MHWull 4-6-03
JMG/CMC/SF F:\PING\\$ALL\SAUL\COMMRESO\pofpayonfootapprpriation.res		City Attorney Date





CERTIFIED ISO 9001:2000



March 24, 2004

Mr. Saul Francis Parking Director City of Miami Beach 1130 Washington Ave Suite 100 Miami Beach, Florida 33139

Re: Federal APD Distribution

Dear Mr. Francis,

This letter is to verify that Royce Parking Control Systems, Inc. is, by contract, the authorized representative for the products of Federal APD in the South Florida market. Federal APD requires that all distributors participate in a year end review of certain criteria for the current year, and to establish criteria for the following year. Under this plan, Royce has remained our South Florida distributor in good standing for 24 years, and is a 14 time member of the "President's Club". We anticipate that Royce will continue to be our South Florida distributor for many years to come.

Please call with any questions.

Sincerely

Regional Manager

Federal APD (407) 299-0731

cc: Royce Parking Control Systems

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		City Of Miami Beach March 20						
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43-16001V		APS, W/ HP-1, 120V, YEL	\$38,200.00	\$38,200.00	\$	13,370.00	\$	24,830.00
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43-16412	1	APS, ADA INTERCOM OPTION	\$1,576.00	\$ 1,576.00	\$	551.60	\$	1,024.40
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Software (Option	7						
42-17140	1	APS, SCAN COMM OPTION	\$689.00	\$ 689.00	\$	241.15	\$	447.85
42-17167	1	APS, VOUCHER OPTION	\$2,756.00	\$ 2,756.00	\$	964.60		1,791.40
42-17143	1	APS, VALUECARD OPTION (FIRMWARE ONLY)	\$1,071.00	\$ 1,071.00	\$	374.85	\$	696.15
43-16753	1_	PrePay Option ***See Notes in Price Book*****	\$5,100.00	\$ 5,100.00	\$	2,040.00	\$	3,060.00
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<u>Hardware</u>	Option	<u>ns</u>						
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43-17139	1	APS, JOURNAL PRINTER OPTION		\$ 1,483.00	1	519.05	\$	963.95
42-16385	1	Parker Option APS	\$825.00		\$	288.75	\$	536.25
43-16383	1	APS, VOICE ANNUNCIATOR	\$1,218.00	\$ 1,218.00	\$	487.20	\$	730.80
42-17262	2	Multi-Language Display Option	\$95.00	\$ 190.00	\$	66.50	\$	123.50
		ONE REQUIRED FOR EACH DEVICE)	_					
42-17288	1	APS,CREDIT CARD OPTION	\$2,900.00	\$ 2,900.00	\$	1,015.00	\$	1,885.00
D	<u> </u>							
Bank Note	Acce	ptor - Cash Code Note Acceptor pkg. Same cost for						
43-16768	1	CashCode Note Acceptor / USA	\$18,000.00	\$18,000.00	_\$	6,300.00	\$	11,700.00
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43-17060	1	APS, NOTE DISPENSER OPTION		\$10,034.00	\$	4,013.60	\$_	6,020.40
		APS, NOTE DISPENSER OPTION SECOND (#2) Pay Station Accessories	\$10,034.00	\$10,034.00	\$	4,013.60	\$	6,020.40
42-16797		APS, Cashcode bill Cash Vault (spare)	24.040.00	A 1 2 12 22	<u> </u>			
72-10/5/		AFS, Cashcode bill Cash Vault (spare)	\$1,640.00	\$ 1,640.00	\$	574.00	\$	1,066.00
41-17098	3	APS, NOTE DISPENSER CASSETTE	£1 070 00	A 0.007.00		4 400 00		
SMART CA	ARD In	forface	\$1,079.00	\$ 3,237.00	\$	1,132.95	\$	2,104.05
NPA	1	POM INTERFACE WITH READER APS MOUNTED	\$2,200.00	£ 2.200.00				
	<u> </u>	TOWN IN TERM AGE WITH INCADER AF 3 MOUNTED	\$2,200.00	\$ 2,200.00	\$	770.00	\$	1,430.00
				101153.00	\$	36,722.85	\$_	64,430.15
		Spare Parts	-					
43-16768	1	CashCode Note Acceptor / USA	£40,000,00	0.40.000.00		45%		
42-16797	1	APS, Cashcode bill Cash Vault (spare)		\$18,000.00	\$	8,100.00	\$	9,900.00
42-16385	1	Parker Option APS		\$ 1,640.00	\$	738.00	\$	902.00
87-19567	1	SST,TRANSPORT ASSY HP-1	\$825.00		\$	371.25		453.75
2. 10007	1	COT, TO MOI OIXT AGOT FIE-1	\$0,149.00	\$ 8,149.00	\$	3,667.05	\$	4,481.95
41-17102	1	POWER SUPPLY,24 VDC 10 AMP	\$2,133.00	© 2.122.00	•	050.05	-	1 470 1-
41-17104	1	PRINTER, JOURNAL AUTOMATIC PAY STATION	\$2,133.00		\$	959.85	\$	1,173.15
42-17031	1	PC BOARD ASSY, AUTOMATIC PAY STATION C	\$1,933.00		\$	648.00	\$	792.00
	· ·		ψ1, 3 33.00	w 1,800.00	Ψ	869.85	\$	1,063.15
			 				\$	18,766.00
		TOTAL EQUIPMENT	 				\$	64,430.15
	·	TOTAL SPARES					\$	18,766.00

PAY HERE

SST is a registered trademark of Federal APD, Inc.

Features:

Robust cabinet with tamperresistant access door secured with 3 point locking system

User-friendly operation

- Flexible payment options:
- Coins Paper currency
- Credit/debit card

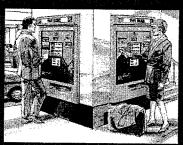
 Self-replenishing coin system Process tickets and bank

cards through single transport Reliable bank note processing

Dual bank note dispenser units available

Modular components

Comprehensive cash audits and management reports



Automatic, 24 hour cashiering

SST® Automatic Pay Station

Automatic Cashiering

The SST Automatic Pay Station offers you an innovative ticket handling system for your central cashiering parking operation. This robust pay-on-foot station is designed to improve your cash management with ATM-type technology, lower your labor and operational expenses, and improve your customer service with around the clock, 24-hour operation.

User-Friendly

Many user-friendly features are built into the pay station, including simple operations for customers, service personnel and management.

The ergonomic design of the pay station guides your customers through the entire transaction process. Clearly defined instructions are simple to follow.

Parking managers will appreciate how quickly employees can learn to use, service and program the pay station. Fast shift audits are made possible with smooth, pullout cash modules, and interchangeable SST components mean less maintenance and downtime.

Contemporary software packages streamline programming and reporting routines and automate your daily management procedures. All programming and reporting functions are easily accomplished with the on-board terminal or with a centralized ScanNet System.

Flexible Payment Options

The SST Automatic Pay Station offers you a wide range of payment options. Short term tickets, special parking passes and bank cards of all types may be processed through the single transport slot. The pay station accepts payment in coins, paper currency, parking pass, or bank card, and delivers change in either coins or paper currency, or both.

Uncompromising Security

Your revenues are protected by a robust vault designed to withstand the harshest environments. The cabinet features a tamper-resistant access door secured with a rugged three-point locking system. All key components are guarded by separate locking devices and any unauthorized access triggers an alarm message.

Different keys are used for each cash module, and each module is monitored electronically for maximum security.

Comprehensive cash audits and facility management reports can be captured on-line or off-line to ensure 100% collection of all parking fees.



SST® Automatic Pay Station Specifications

1. Purpose

The SST Automatic Pay Station is an unmanned, pay-on-foot station which provides completely automated cashiering services to parking patrons. This central cashiering device reads and encodes magnetic stripe tickets with payment information when the appropriate payment has been made to satisfy the fee due.

2. Features/Functions

- a. The SST Automatic Pay Station automatically calculates and displays parking fees, accepts payment, issues change, and provides a receipt (either automatically or on demand).
- b. The SST Automatic Pay Station incorporates the following components as standard: (1) SST Ticket Validator, (2) Coin Acceptor, (3) Route Inhibit Mechanism, (4) Three Coin Dispenser Units, (5) Programming Terminal, (6) Receipt Printer.
- c. The following components are available: (1) Bank Note Handling System (with Bank Note Acceptor, Bank Note Escrow Unit, and Bank Note Vault), (2) Dual Bank Note Dispenser Units, (3) a fourth Coin Dispenser, (4) Coin Vault, (5) Journal Printer, (6) Ticket Burster, (7) various software options.
- d. The SST Automatic Pay Station provides comprehensive Financial and Statistical reports at the device, or at a central communications computer.
- e. The device provides an LCD message display to guide patrons through all transactions.
- f. The SST Automatic Pay Station is UL Listed (Canada/U.S.), and is available with the CE Mark.

3. Dimensions

- a. The SST Automatic Pay Station cabinet is 36 ¹/₄ inches W x 55 inches H x 25 ¹/₄ inches D (92 cm W x 140 cm H x 64 cm D). Width includes the "Pay Here" sign overhang.
- b. Optional pedestal base (ADA compliant)

- is $36^{-1}/_{4}$ inches W x 11 inches H x 28 inches D (92 cm W x 28 cm H x 71 cm D).
- c. Optional pedestal base is 36 ¹/₄ inches W x 16 inches H x 28 inches D (92 cm W x 41 cm H x 71 cm D).

4. Electrical

a. The SST Automatic Pay Station provides a universal power supply for 115 VAC or 220 VAC power requirements. It also provides a 24 VDC power supply and 36 VDC power supply for the cash handling system (if a Bank Note Dispenser is included).

5. Construction

- The SST Automatic Pay Station provides a vandal-proof cabinet constructed of heavy gauge steel.
- b. Maximum security is provided with an access door secured with a vandal-resistant, three-point locking mechanism. Cash handling systems are guarded by double locking mechanisms. Electronic monitoring systems are used throughout to detect tampering.
- c. The cabinet is finished in a powder coat paint in either Federal APD Safety Yellow or Federal APD White (as specified) for maximum visibility and safety. Other colors are available, when specified.
- d. Exterior operator controls are clearly laid out with easy-to-follow instructions, visual display and push button controls.
- e. The device provides an illuminated "Pay Here" sign and Change/Receipt tray for nighttime operation.

6. Mechanical

- The SST Automatic Pay Station reads and validates magnetic stripe parking tickets as well as produce receipts.
- The device allows patrons to terminate the cashiering transaction at any time prior to completing a transaction.
- c. The SST Automatic Pay Station provides an SSTTransport Mechanism

- that contains magnetic read/write heads, and a self-aligning thermal printer.
- d. The SST Automatic Pay Station includes a Coin Processing System that consists of the Coin Acceptor device, Coin Dispenser units, and a Coin Vault.
- e. The Coin Acceptor screens all coins or tokens of different values and sizes for validity. The device recognizes the value of the coin, sends the appropriate credit signal to the CPU, and routes the coins to the appropriate Coin Dispenser or Coin Vault.
- f. The universal Coin Dispenser is a large capacity coin unit that collects and/or dispenses metal currency. The unit may be programmable as either self-replenishing (coins stored in the dispenser), or so that coins are automatically sent to the Coin Vault.
- g. The standard Coin Vault provides storage for accepted coins once they are routed from the Coin Acceptor.
- h. The SST Automatic Pay Station includes an optional Bank Note Handling System that consists of the Bank Note Acceptor, Bank Note unit, and the Bank Note Vault.
- i. The Bank Note Acceptor accepts up to 14 different bank note denominations (as programmed) in any of four ways of insertion. The device screens all currency for validity, recognizes its value, sends the appropriate credit signal to the CPU, and transports the notes to the Bank Note Escrow unit.
- j. The Bank Note Dispenser provides bank notes as change to the patron when the transaction is completed. The device has the capacity of storing 1,650 2,150 bank notes (dependant on condition). Dual Bank Note Dispenser units are available when specified.
- k. The SST Automatic Pay Station offers an optional credit card processing system.



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PAYHERE D

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Features:

Integrated payment systems Tickets and/or credit cards are processed through the single SST Transport/Validator unit Point-of-sale equipment:

SST Auditor PowerPad

SST Ticket Spitter

SST Credit Card Exit Verifier

SST Automatic Pay Station Payment systems available:

Ticket In/Credit Card Out
Credit Card In/Credit Card Out
High performance credit card
processor features integrated
modern and microprocessor
Credit card transactions
reconcile on the audit trail

reconcile on the audit trail Comprehensive transaction reports



Seamless credit card processing

Credit Xpress™ Credit Card Processing System

Cashless Transactions

The Federal APD Credit Xpress system enables you to configure your parking operation to capitalize on the opportunities offered by cashless payments. Point-of-sale devices that can be equipped with credit card features include the SST Auditor PowerPad Fee Computer, SST Ticket Spitter, SST Credit Card Exit Verifier, and the SST Automatic Pay Station.

Integrated Systems

Credit authorization is integrated seamlessly with the credit card processor in the SST equipment. The credit card processor (with built-in modem) transmits the transaction information to the financial processing network for authorization and settlement.

The point-of-sale terminal inside the equipment displays the transaction total, automatically authorizes and captures the transaction for settlement, and prints credit information on the customer slip and/or journal tape.

Smart System Transport (SST®)

The magnetic properties in the SST Validator mechanism are designed to read both the magnetic stripe information from SST AutoRead tickets and from bank cards. The information captured from the magnetic stripe is transmitted to the programming terminal and credit card processor for transaction processing.

Ticket In/Credit Card Out

This operation allows a parking patron to receive a ticket upon entry into the parking facility, and pay the parking fee due at the exit cashiering station, central cashiering station, or SST Automatic Pay Station. In each configuration, the ticket is first inserted into the SST Validator mechanism, followed by the credit card for payment. Short term tickets, special tickets, and bank cards of all types are processed through the single transport slot.

Federal APD has designed an innovative SST Credit Card Exit Verifier for facilities that offer unmanned exit cashiering. With this device, the patron inserts the parking ticket into the transport mechanism, followed by the credit card for payment. Payment is authorized by the credit card processor, and a receipt is granted on demand.

Credit Card In/Credit Card Out

Enterprising parking operators now have the ability to offer ticketless entry/exit lanes in their facility. This on line system enables the parking patron to enter the car park by inserting a credit card into the SST Validator mechanism, which captures the lane and card information and sends it to the communicating SCAN/Scan Net System database.

To exit, the credit card is inserted into the SST Credit Card Exit Verifier. The information captured is analyzed by the SCAN/Scan Net database, sent to the on-board programming terminal to compute the fee, and processed by the credit card transaction processor. A receipt is granted on demand.



Federal Signal Corporation

Credit Xpress[™] Specifications

1. Purpose

The Federal APD Credit Xpress system shall be an on-line draft capture and credit authorization feature for SST AutoRead products. The system uses an integrated credit card processing device to acquire and electronically process the credit transactions from the point-of-sale devices to the authorization network. Point-of-sale devices shall include the SST Auditor PowerPad Fee Computer, the SST Ticket Spitter, the SST Credit Card Exit Verifier, and the SST Automatic Pay Station, when equipped with credit card transaction features.

2. Features/Functions

- a. Magnetic properties in the SST Transport/Validator mechanism shall be capable of reading ISO Standard magnetic stripe information from SST AutoRead tickets and/or credit cards.
- b. The information translated from the magnetic stripe shall be transmitted to the Programming Terminal for processing. The Auditor PowerPad platform shall be the central programming and processing terminal in all SST point-of-sale devices.
- c. The data captured by the Programming Terminal shall be sent to the credit card processor to transmit the transaction information to the financial processing network provider for payment authorization and settlement.
- d. The credit card processor shall have the capability to operate with either a host-based network, or a terminal-based network. The host-based network shall capture transactions sent by the credit card processor in a batch on the network's computer. The financial processing network shall store all the data at the network server, automatically assign batch numbers, and settle accounts once

- the batch is closed. The terminal-based network shall allow the remote application to capture approved transactions. All approved transactions shall be stored in the credit card processor in a batch, and forwarded to the network server. The terminal-based network requires the operator to open and close all batches, and settle accounts.
- e. The Programming Terminal shall provide specific credit card transaction reports, including: (1) Open Batch Report, (2) Close Batch Report, (3) Inquire Batch Report, (4) Transaction Summary Report, (5) Transaction Inquiry Report, (6) List Batch Report, (7) Local Summary Report, (8) Local Inquiry Report, (9) Local Status Report, (10) Local Total Report, (11) List Network Report, and (12) Void Sale Report.
- f. The Programming Terminal shall provide the capability to print a customer signature slip. This slip shall contain: (1) transaction number, (2) amount of transaction, (3) credit card account number, (4) date of credit card expiration, (5) authorization number for credit card purchase, (6) reference number for tracing the transaction, (7) signature line

3. Software/Hardware Requirements

- a. The Federal APD Credit Xpress system shall utilize a credit card processor with integrated modem.
- b. The credit card processor shall integrate on-line electronic draft capture, credit authorization or other financially related processing with point-of-sale applications.
- c. The credit card processor shall be an external device that features an intelligent controller and a RAM based design that utilizes nonvolatile memory with integrated long battery protection to store transactions and

network code modules.

- d. The credit card processor shall feature a 1200/2400 baud modem with a pass through data design, and Hayes SmartModem AT 5 command with MNP 5 compatibility.
- e. The credit card processor shall use an external interface cable that connects from its DB9F connector to the serial port of the Auditor PowerPad Fee Computer. The device also has a modular RJ11 jack that connects to a phone line.
- f. The credit card processor uses an external power supply that plugs into the back of the unit via a female circular plug and into a standard AC outlet. Power supply ratings input: 120VAC/60Hz, 15 W; output: 9.0 VAC, 100mA.
- g. The SST Ticket Validator (with Parker or Burster mechanism) shall read the data encoded on the magnetic stripe, park the ticket so that a credit card can be inserted into the transport, and transmit the captured data to the credit card processor.
- h. The Programming Terminal shall use the data received from the SST Ticket Validator and send it to the credit card processor. The Alternate Payment key shall be configured to accept the credit card payment.
- i. The Programming Terminal shall open a batch to collect data from the credit card processor and process the transaction, and close a batch to send the data to the financial transaction processing network for payment authorization and settlement.
- j. The SST Credit Card Exit Verifier (with Parker or Burster mechanism for "Ticket In/Credit Card Out" systems) shall read the data encoded on the magnetic stripe, park the ticket so that a credit card can be inserted into the transport, and transmit the captured data to the credit card processor.

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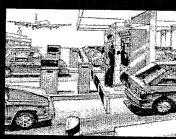
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Features:

- Create passes on-site for:
- Monthly pass cards
- Debit cards
- Voucher tickets
- Discount tickets
- Special event tickets
- Proprietary prepay tickets Add value to the pass on demand Assign start/end times, number of uses, or dollar value at the cashier station Operates as a stand-alone or on-line system Issue standard SST mag
- stripe paper tickets or plastic coated cards Dual purpose SST Ticket
- Dual purpose SST Ticket Spitter and Exit Verifier eliminates separate readers Full anti-passback features



Monthly cards or debit cards

ValueCard[™] Card Access System

Prepay System

The Federal APD SST® AutoRead System enables you to produce a variety of monthly cards or debit cards on demand with the ValueCard System. The wide range of ticketing options available provide you with unique revenue opportunities for your parking operation.

ValueCard is a rechargeable card access system that can be used as a monthly access or debit card with assigned units of value,

time, number of uses, or dollar amount — or as a combination access/debit card. Standard SST paper tickets or plastic coated cards may be created with prepaid values at any cashiering station.

Flexible System

Using the same lane equipment, the SST AutoRead system enables your operation to process normal transient tickets and handle prepay tickets as well. The system consists of the SST Ticket Spitter, the SST Auditor PowerPad, the SST Exit Verifier, and the SST Automatic Pay Station.

To grant access into the parking facility, the dual function SST Transport/Validator mechanism dispenses transient tickets for short-term parkers, or accepts valid ValueCard tickets. Exiting the facility is controlled by the SST Exit Verifier that can read validated (paid) transient tickets and/or ValueCards. The SST Auditor PowerPad is used to process standard transient tickets (in exit cashiering configurations) and to create proprietary ValueCard tickets.

Each control device in the system operates as a stand-alone device. An on-line system, featuring the Federal APD SCAN™/Scan Net™ System, allows the parking manager to access reports and programming information for computerized control of the parking network.

Ticket Options

The SST AutoRead System enables you to offer your customers a variety of payment plans for parking fees. In addition to controlling transient parkers, the system can also be configured to control monthly parking passes, prepay (voucher) tickets, special event tickets, advance sale tickets, and decrementing tickets.

Popular applications for the ValueCard System include:

- Parking Operators who want to offer proprietary prepay or monthly parking pass to be used in any parking facility.
- Municipalities who desire to presell "City" voucher or discount tickets for special events, or monthly cards for employees.
- Universities who want to sell debit cards for campus wide parking or advance ticket sales for special events.
- Medical Centers who need to pre-issue decrementing tickets or vouchers for visitors and employees.



ValueCard[™] Card Access System Specifications

1. Purpose

The ValueCard System shall be an access and revenue control system that integrates SST AutoRead equipment and Federal APD Barrier Gates. Based on magnetic stripe technology, the system shall control access to parking facilities for monthly parkers, and/or enable transient parkers to satisfy parking fees using prepaid debit tickets.

2. Features

- a. The ValueCard System shall encode data directly onto the card and/or ticket's magnetic stripe. The ValueCard System can operate in three configurations: (1) Monthly Access Card, (2) Debit Card, and (3) Value Access Card.
- b. The Monthly Access Card feature shall control a parking patron's ingress and egress by using the ValueCard at the SST Ticket Spitter and SST Exit Verifier (respectively). This feature is used in parking operations that require monthly parking solutions. It is included in all ValueCard Systems.
- c. The Debit Card feature shall assign a value (by start/end time, number of uses, or dollar amount) to the ValueCard. Each time a patron uses a Debit Card to pay a fee, the system decrements a value from the card. This type of ValueCard is lane programming dependent and is used in conjunction with transient tickets.
- d. The Value Access Card shall combine the features of the Monthly Access Card and the Debit Card. It shall enable monthly patrons to have an assigned parking location (contracted space) while enabling the card holder to use the same card at other locations as a debit card. The card can have value assigned by start/end time, number of uses, or dollar amount. Each time a patron uses the card to pay a fee, the appropriate value is deducted.

3. Construction/Hardware

ValueCard uses specific parking control equipment (with appropriate software) to

control access into and out of facilities. The ValueCard System may be configured as part of an on-line system, or as an off-line system with each device acting accordingly.

- a. The SST Auditor PowerPad Fee Computer shall be capable of creating, issuing, and updating Monthly Access, Debit, and Value Access types of ValueCards.
- b. The SST Auditor PowerPad shall have the capacity to create a variety of times when the ValueCard becomes valid and/or invalid, including: (1) Fixed Start Time, (2) Fix Duration Time, (3) Fix Today, (4) Variable Today, (5) Variable Start Time, and (6) Unused.
- c. The SST Auditor PowerPad shall have the ability to set a monetary value for the ValueCard, including presetting the total value assigned as fixed, or enabling the cashier to designate the total value assigned to the ValueCard as variable.
- d. The SST Auditor PowerPad shall have the ability to set the maximum number of times a card may be used per day as fixed or variable.
- e. Features that may be preset on the ValueCard or designated by the cashier include: Fee Table used to access a parking fee, the amount charged for a ValueCard, and the number of cards issued by an attendant.
- f. The SST Auditor PowerPad shall control how attendants can change ValueCards already issued, including: Changing the time a ValueCard becomes invalid, Changing the number of times that a patron can use their ValueCard, Changing the total value of the ValueCard, and Changing the cash value a patron must pay in order to receive an updated ValueCard.
- g. The SST Ticket Spitter shall either dispense a magnetically encoded ticket to an incoming parker, or accept and read a ValueCard to allow ingress.
- h. The information stored on the ValueCard's magnetic stripe shall be automatically updated by the SST

- Ticket Spitter's transport mechanism.
- i. The SST Exit Verifier shall accept and read a ValueCard to allow egress from a parking facility.
- j. When a patron initiates a transaction at the SST Exit Verifier, the information stored on the ValueCard's magnetic stripe is automatically updated per the card's pre-programmed parameters.
- k. The SST Ticket Spitter and SST Exit Verifier with ValueCard capabilities shall be programmed and controlled with an AutoRead Controller with the appropriate firmware. This firmware shall provide an option to program the time and/or date, and program up to six fee tables in order to process ValueCards for patrons exiting a facility.
- The AutoRead Controller shall be programmed to accept and process Monthly Access, Debit, and Value Access type ValueCards.
- m. The AutoRead Controller shall detect and/or prevent illegal entry using the on-board anti-passback system. Timed anti-passback features shall be programmable to prevent patrons from using their cards more than once in a given time period.
- n. The AutoRead Controller shall deduct a single use from a counter each time that a patron uses their ValueCard.
- Grace time and the ability to charge a fee if a patron exceeds the programmed grace time shall be controlled by the SST Omega Controller.
- p. The AutoRead Controller shall be programmed to deduct a single use from a counter every time a ValueCard is used.
- q. The AutoRead Controller shall provide the ability to capture ValueCards with no value, ValueCards that are expired, and ValueCards that are placed on a blacklist.
- r. The AutoRead Controller shall be programmed to control the issuing of tickets from the SST Ticket Spitter as normal issue, pre-issued, or preencoded.



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Features:

- Provides machine readable exit lane control when used with central cashiering systems
- Rust-resistant aluminum construction
- Modular SST Ticket Transport
 Mechanism with magnetic
 read head and thermal printer
 On-line or off-line operation
 Programmable grace times
 Backlit LCD message display
 Advanced AutoRead
 Controller with built-in
 diagnostics and activity

Options:

reports

ValueCard System
Credit Card Processing System



Traffic control at the exit lane

SST® Exit Verifier Model ML 3000

Central Cashiering Revenue Control

Located at the exit lane, the SST Exit Verifier is used to control lane traffic with a central cashiering parking system.

With a central cashiering system, the patron receives a magnetic stripe ticket from the SST Ticket Spitter at the entrance. Before returning to their vehicle, the patron stops at the appropriate cashier zone to pay the parking fee. The

cashier (or SST Automatic Pay Station) automatically processes the ticket, collects the fee and reassigns the same ticket with a preprogrammed grace time that allows the patron to return to their vehicle and exit.

At the exit lane the patron inserts the ticket into the SST Exit Verifier, which scans the ticket for validity and raises the gate automatically, providing the patron exited with the allotted grace period. If not, the machine requests that the patron return to the cashiering station to pay the amount due.

Smart System Transport (SST®)

The magnetic properties in the SST Transport/Validator mechanism are designed to read magnetic stripe information from SST tickets, ValueCard access cards, and credit cards. Short term tickets, special tickets, and bank cards of all types are processed through the single transport slot.

The transport's clam shell design provides easy access to the ticket stream and magnetic read/write heads. This universal mechanism is used in ticket dispensers, fee computers, automatic pay stations, exit verifiers, and merchant validators – which keeps your stocking requirements at a minimum.

Durable Construction

The unit features durable aluminum construction, armored with an element-resistant enamel finish for years of rust free service. The cabinet front consists of a heavy duty aluminum cast face plate with a two-line by 20-character visual display that provides instruction messages to the parking patron.

Efficient Processing

Federal APD offers you a fully integrated line of access and revenue control products that work together to deliver a true system approach to parking. The SST AutoRead System completely automates your parking operation with machine readable precision. The speed of automated egress processing - using the SST Exit Verifier - eliminates the need for multiple lanes while significantly reducing the congestion found at the exit lanes.



SST® Exit Verifier Specifications

1. Purpose

The Model ML 3000 SST Exit Verifier shall be an automatic magnetic ticket reading/verification device. It shall accept magnetically encoded SST AutoRead tickets and provide a vend signal when a validated magnetic stripe ticket is inserted. The vend signal shall activate a barrier gate or other barrier to allow access.

2. Features/Functions

- a. The SST Exit Verifier shall accept a magnetically encoded ticket. When the patron's vehicle is on the arming loop, the SST Exit Verifier LCD display shall display the message "Please Insert Ticket".
- b. When the ticket is inserted, the SST Exit Verifier shall read the time, date, and other information from the ticket to determine the following: (1) If the data on the ticket is valid, the device will vend the gate, allowing the patron to exit, (2) If the ticket has not been paid, the ticket shall not be accepted and the device shall display the message, "Pay Cashier First", (3) If the facility codes do not match, the ticket will not be accepted and the message "Not A Valid Ticket" will display, (4) If grace time has not lapsed, the SST Exit Verifier shall retain the ticket and allow the patron to exit the facility, (5) If the grace time has lapsed, the device shall display the message "Return To Cashier" and return the ticket to the patron for repayment at the overstay rate.
- c. Once the SST Exit Verifier has performed all the required checks and determines that the ticket is valid, the SST Validator Mechanism shall process the ticket and deposit it in a validated ticket bin.
- d. The gate arm will raise and the device's visual display will show the message "Thank You".
- e. If the ticket is rejected because it is unreadable, the SST Validator Mechanism shall eject the ticket so that the patron may retrieve it and return to

- the central payment station to repay the parking fee. The message "Cannot Read Ticket" shall be displayed.
- f. When the SST Exit Verifier is not in operation, the LCD display shall show the message "Not In Operation."
- g. The AutoRead Controller shall allow for local programming using the keypad on the controller. These features shall also be programmable from the PC-based SCAN System if the SST Exit Verifier has communication capabilities: (1) Paid Grace Period, (2) Unpaid Grace Period, (3) A three-digit facility code to uniquely identify the device for a particular lane or facility, and (4) The first eight characters of the top line of the LCD display shall be user programmable.
- h. The device's AutoRead Controller shall provide the capability to view Total Event and Exception Event reports on its visual display. Total Event reports shall provide messages for all conditions in the lane. Exception Event reports shall provide a list of unusual events in the lane. Messages which appear in he Exception Event Report shall also be displayed in the Total Event Report. The following types of conditions will be acknowledged by messages in these reports: (1) External loop input was activated, (2) A valid ticket was inserted in the SST Exit Verifier which has expired its grace time, (3) A ticket with an invalid facility code was rejected, (4) A ticket was rejected because it was not paid, (5) A ticket was rejected because it had already been used to exit, (6) A ticket was rejected because the ticket number was invalid.
- The SST Exit Verifier shall be UL Listed (Canada/U.S.), and shall be available with the CE Mark.

3. Dimensions

a. Maximum overall dimensions for the SST Exit Verifier shall be 20 in W \times 44 in H \times 20 in D (508 mm W \times 1118 mm H \times 508 mm D).

b. The cabinet base shall be 20 in W x 44 in H x 16 in D (508 mm W x 1118 mm H x 406 mm D).

4. Electrical

- a. Power input requirements shall be 115 VAC at 6 Ampere. Optional power input requirements shall be 220 VAC at 3 Ampere.
- The SST AutoRead Controller shall be powered by the controller power supply assembly.
- The SST Validator Mechanism shall be powered by a separate 24 VDC power supply.

5. Construction

- The SST Exit Verifier housing shall be of heavy gauge, all aluminum welded construction.
- b. The cabinet shall be finished in a powder coat paint in either Federal APD Safety Yellow or Federal APD White (as specified) for maximum visibility and safety. Other colors shall be available when specified. The front panel shall be black.
- The cabinet shall be compartmentalized to allow access to the tickets or to the AutoRead Controller.
- d. A 500 watt heater assembly shall be provided in the inside of the cabinet.
- e. The SST Exit Verifier shall include an SST Validator Mechanism which shall be fastened to the unit's cabinet by a spring-loaded fastener.
- f. The SST Exit Verifier shall include an AutoRead Controller, Power Supply, Terminal Board and a Configuration Module.
- g. The AutoRead Controller shall plug directly into the connections panel via two keyed, 37-pin and 25-pin connectors.
- h. The Power Board shall provide 14 output terminals and 11 input terminals.
- The AutoRead Controller shall provide all logic control and monitoring functions of the Exit Verifier.

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CITY OF MIAMI BEACH **COMMISSION ITEM SUMMARY**



Condensed Title:

Accept the City Manager's Recommendation Relative to the Ranking of Firms Pursuant to RFQ No. 02-03/04 for the Planning, Design, Bid and Award, and Construction Administration Services for the Rotunda Restoration and Collins Park Renovation Project.

Issue:

Shall the City Commission accept the City Manager's recommendation related to the ranking of firms and authorize negotiations?

Item Summary/Recommendation:

On October 15, 2003, the City Commission authorized the issuance of a RFQ to solicit the qualifications from professional firms with the capability and experience to provide Planning, Design, Bid and Award, and Construction Administration Services for the Rotunda Restoration Project. On February 9, 2004 Addendum No. 4 was issued which included the additional scope of work for the design of Collins Park renovations.

RFQ No. 02-03/04 was issued on October 29, 2003 with an opening date of February 27, 2004. The City received responses from the following 4 firms:

- Edward Lewis Architects, Inc.
- Indigo Service Corporation
- M.C. Harry & Associates, Inc.
- R.J. Heisenbottle Architects, P.A.

The City Manager via Letter to Commission (LTC) No. 004-2004, appointed an Evaluation Committee ("the Committee"). At the 1st Evaluation Committee meeting, the consensus of the committee was to shortlist to the three (3) most qualified Firms, and for these Firms to provide presentations to the committee. The Firms provided a 15 minute presentation, which was followed by a 15 minute question and answer session.

During deliberations, the Committee members discussed their individual ranking of the three firms and arrived at the following Committee ranking:

First:

M.C. Harry & Associates, Inc.

Second: Edward Lewis Architects, Inc.

R.J. Heisenbottle Architects, P.A.

The firm of M.C. Harry & Associates, Inc. was deemed to be the first ranked firm based on the experience and qualifications of their team.

ACCEPT THE MANAGER'S RECOMMENDATION AND AUTHORIZE NEGOTIATIONS

Advisory Board Recommendation:

Financial Information:

Source of	Amount	Account	Approved
Funds:			
	2		
	3		
	4		
Finance Dept.	Total		

City Clerk's Office Legislative Tracking:

Gus Lopez X6641

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Depma	rtment Direct p r	Assistant City Manager	For City Manager
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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 www.miamibeachfl.gov



Date: April 14, 2004

COMMISSION MEMORANDUM

To:

Mayor David Dermer and

Members of the City Commission

From:

Jorge M. Gonzalez

City Manager

Subject:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF MANAGER PERTAINING TO THE RANKING CITY **PURSUANT** TO REQUEST RECEIVED QUALIFICATIONS QUALIFICATIONS (RFQ) NO. 02-03/04, FOR THE PLANNING, DESIGN, BID AND AWARD, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE ROTUNDA RESTORATION AND COLLINS PARK RENOVATION PROJECT: AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF M.C. HARRY & ASSOCIATES, INC.; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRM, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE SECOND-RANKED FIRM OF EDWARD LEWIS ARCHITECTS, INC.; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN WITH THE SECOND-RANKED FIRM, AGREEMENT AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE THIRD-RANKED FIRM OF R.J. HEISENBOTTLE ARCHITECTS, P.A.

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

ANALYSIS

On October 15, 2003, the City Commission authorized the issuance of a RFQ to solicit the qualifications from professional firms with the capability and experience to provide Planning, Design, Bid and Award, and Construction Administration Services for the Rotunda Restoration Project.

RFQ No. 02-03/04 was issued on October 29, 2003 with an opening date of February 27, 2004. A pre-proposal conference to provide information to firms considering submitting a response was held on November 14, 2003. On February 9, 2004 Addendum No. 4 was issued which included the additional scope of work for the design of renovations to Collins Park.

The City of Miami Beach intends to separate from the library main building, and then renovate the Rotunda, located at the Southwest corner of 22nd Street and Collins Avenue,

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ANALYSIS (CONTINUED)

to provide a versatile community meeting and performance space that complies with current building codes. The refurbished Rotunda Building will provide the City of Miami Beach with a flexible multi-use space that can be used by a number of City or public groups. The Rotunda has a historically significant exterior, pre-cast panel system developed by Sculptor Albert Vrana. The City intends to preserve this panel system in the renovation. Currently the Miami-Dade Public Library System (MDPLS) operates the Rotunda. Upon the opening of the new Regional Library, MDPLS will transfer the operation of the facility to the City.

The general improvements to the Rotunda include restoration and enhancements to its function and aesthetics. The Rotunda will be separated from the main library building, and gutted to the bare structural components that have been determined to meet current code requirements. In addition, the building will have new roofing, HVAC, plumbing and electrical systems. The project will also include a new audiovisual system, lighting, removable seating, stage platforms, and finishes throughout. On the exterior of the building, native landscaping will be added as prescribed in the Collins Park Master Plan developed by Robert A.M. Stern Architects.

In October of 2002, the firm of Edward Lewis Architects ("ELA") authored a study evaluating the type of renovation that could be achieved on the Rotunda. ELA's report provided two design schemes. The difference between the two Options is that the Option 2 offers additional air conditioned space and an enclosed pre-function area. Option 2 is the selected layout for this RFQ, hence the project includes a 2500 square foot addition on the west side of the Rotunda, to house restrooms, mechanical storage, and to provide ADA entrance and exits. It incorporates the pre-function area into the climate controlled building allowing for receptions or exhibits during all seasons.

The successful firm will be tasked with the following duties and responsibilities:

- Planning Services
- Design Services
- Bid and Award Services
- Construction Administration Services

The original scope of work for the Rotunda had an estimated cost of \$700,000, which includes A/E fees, construction, general overhead and profit, and construction contingency. (However, this does not include CIP Office fees).

The Rotunda Renovation portion of the project received the support of the Collins Park Oversight Committee on June 30, 2003. The Committee has served as the advocate of local arts groups that have requested the renovation of the Rotunda and other City facilities for performance use.

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ANALYSIS (CONTINUED)

The project scope added to the RFQ through Addendum No. 4 on February 9, 2004, includes renovations to Collins Park, the Parking Lot to the east of the park, and adjacent Streetscape Improvements. The scope of services for this portion of the project includes planning, design, bidding and construction administration services, further detailed below:

Collins Park

Renovation of existing park includes landscaping, irrigation, lighting, hardscape, including but not limited to curbs, sidewalks, drainage and ADA ramps, and street furniture as described in the Collins Park Master Plan originally prepared by the Architectural firm of Robert A.M. Stern. Design must include coordinated design documents for the installation of proposed Art-In-Public Places opportunities.

21st Street Parking Lot

Renovation of existing parking lot, including new landscaping, irrigation, lighting, and proposed hardscape improvements, including but not limited to curbs, sidewalks, drainage and ADA ramps. Design may include a transition area and pavilion between parking lot and existing beach.

Streetscape

Renovation of existing streetscape including replacement of existing sidewalks, lighting, irrigation, landscaping, street paving, street furniture, drainage and waterline improvements. Streetscape improvements should compliment and be consistent with the surrounding area improvements and the Collins Park Master Plan.

The total costs, including soft costs, permitting, testing, contingency and construction budgeted for this portion of the project are approximately \$1,500,000 for the Park, \$500,000 for the Parking Lot and \$2,500,000 for the Streetscape. The total construction costs associated with the project are funded primarily from 1999 General Obligation Bonds, City Center Redevelopment Agency Tax Increment Funds, and Parking Enterprise Funds.

BidNet issued bid notices to 104 prospective proposers, resulting in 66 proposers requesting RFQ packages, which resulted in the receipt of the following four (4) proposals from:

Edward Lewis Architects, Inc. Indigo Service Corporation M.C. Harry & Associates R.J. Heisenbottle Architects, P.A. Commission Memo
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ANALYSIS (CONTINUED)

The City Manager via Letter to Commission (LTC) No. 004-2004, appointed an Evaluation Committee ("the Committee") consisting of the following individuals:

- 1. Nancy Liebman, Resident, Chair Collins Park Cultural Center Oversight Committee (Committee Chair)
- 2. Efrin Izquierdo, Resident and Architect
- Michael Hammon, Resident, developer, member of Collins Park Cultural Center Oversight Committee
- 4. Grisette Roque, VCA Director
- 5. Eric Fliss, RDA/Theater facilities professional (Mr. Fliss was unavailable for presentations, and therefore dropped from the selection committee)
- 6. Nury Menicucci, CIP Office & Project Construction Manager

On March 16, 2004, the Committee convened. The Committee was provided information in reference to the project by Ronnie Singer, CIP Community Information Manager. Additionally, the Committee reviewed references secured by the Procurement staff, and discussed the following RFQ evaluation criteria as per Section 287.055, Florida Statutes known as the Consultant's Competitive Negotiation Act (CCNA):

- The ability of professional personnel;
- · Past performance;
- Willingness to meet time and budget requirements;
- Location:
- Recent, current, and projected workloads of the firms;
 the volume of work previously awarded to each firm by the agency, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms.

The Committee's consensus was to shortlist to the three (3) most qualified Firms and invite the three Firms to provide a 15-minute presentation, followed by a 15-minute question and answer session. As qualifications and credentials were analyzed from all the respondents the committee decided that Indigo Service Corporation would be eliminated from further consideration as it pertains to this RFQ.

The Procurement staff coordinated and scheduled presentations for April 5, 2004. On this date the Committee members convened and were provided presentations by the following three (3) firms.

Edward Lewis Architects, Inc. M.C. Harry & Associates R.J. Heisenbottle Architects, P.A.

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ANALYSIS (CONTINUED)

After the firms' presentations, the Committee members discussed at length their individual perceptions of the qualifications, experience, and competence of all three (3) firms and then ranked the firms accordingly:

BID TABULATION

RFQ-02-03/04	Edward Lewis	MCHarry	R.J. Heisenbottle
Committee Member			
Nancy Liebman	66	73	68
	(3)	(1)	(2)
Nury Menicucci	90	95	65
	(2)	(1)	(3)
Michael Hammon	83	89	82
	(2)	(1)	(3)
Grisette Roque	70	87	66
	(2)	(1)	(3)
Efrin Izquierdo	97	98	92
	(2)	(1)	(3)

LEGEND:

M.C. Harry & Associates: $\underline{5}$ -1st place votes = $5 \times 1 = 5$

TOTAL = 5 = Ranked 1st

Edward Lewis Architects, Inc. 4 - 2nd place votes = 4x2=8

1 - 3rd place vote = 1x3=3

TOTAL = 11 = Ranked 2nd

R.J. Heisenbottle Architects, P.A. 1 - 2nd place vote = 1x2=2

4 - 3rd place votes = 4x3=12

TOTAL = 14 = Ranked 3rd

The firm of M.C. Harry & Associates was deemed to be the top ranked firm based on the professional experience and qualifications of their project team.

RELATED EXPERIENCE PRINCIPAL-IN-CHARGE/PROJECT MANAGER

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ANALYSIS (CONTINUED)

James W. Piersol, A.I.A., C.C.S, Principal Project Assignment: Project Director - Architect

Mr. Piersol has over 26 years experience in the planning, design and construction of major public buildings, including aviation and transportation related facilities; banks, restaurants; and renovations and historic restorations. Mr. Piersol has also been responsible for numerous studies, consultation reports, construction cost estimates and specifications. He has been involved with the renovation and restoration of several major buildings throughout the United States, including the Atlanta City Hall, the Los Angeles City Hall, the Chrysler Building and the Woolworth Building in New York City.

Relevant Experience

- Dade County Courthouse Renovation/Restoration: Exterior Terra Cotta Restorations; Historic Window Replacements; Public Lobby Restorations; Life Safety Improvements; Replacement Air-conditioning Systems; Jury Pool/Courtrooms/Judge Chambers.
- Florida International University: Library Expansion/Renovation \$32 million/8 story;
 HRS Professional Development Center, West Loop Road and 700 car Parking Lot.

Thomas M. Carlson, A.I.A, Principal Project Assignment: Design Director

Mr. Carlson has over 30 years of professional experience in the planning, programming and design of numerous facilities for government agencies and public institutions. His experience has enabled him to collaborate with a number of artists in mutual pursuit of public art display and exhibition.

Relevant Experience

- Historic Miami Beach Fire Station 4: Structural repairs and façade restoration.
- City of Coral Gables City Hall: Fenestration restoration.
- Freedom Tower: Structural repairs program; adaptive reuse study for the State GSA.
- Booker T. Washington Auditorium: 825 seat theater with balcony and catwalk.
- Florida Gulf Coast University Library: 100,000 square foot building including the 6000 square foot. "Center for the Study of Southwest Florida" rare document archive facility.

Lourdes Solera, A.I.A Project Assignment: Project Manager

Ms, Solera has over 10 years experience in programming, schematic design, design

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ANALYSIS (CONTINUED)

development, construction documents, project management and coordination, specifications and construction administration.

In addition to her expertise of Historic Preservation and Architectural History, she has a broad range of experience in both public and private sector projects including relevant projects in the renovation, restoration, and expansion of public facilities; as well as the design of community meeting space and performance venues.

Relevant Experience

- Florida International University Graham Center: Student Activity Center including a 2500 square foot entry/sculpture court, and 3500 square foot, 150 seat café' style staged performance venue.
- Science Center of the Americas: Miami Museum of Science, Phase I programming for new 300,000 square foot museum to include galleries, research and curatorial facilities, a teacher education center, banquet hall facilities and restaurant.

M.C. Harry & Associates will provide to the City of Miami Beach a Project Team with years of experience in the following:

- Historic and vintage building exterior restoration and envelope repair including stone cladding failure, unique roofing systems, and building fenestration replacement.
- Historic interior restoration.
- Structural system repair programs on vintage buildings including "beach sand" concrete structures.
- Performance venues complete with catwalks, rigging, theatrical lighting, acoustic controls, and A/V systems.
- Renovation/adaptive reuse of, and expansions to, existing structures.
- Florida Accessibility Code compliance and ADA barrier removal programs.

The following references were secured by the Procurement staff for M.C. Harry & Associates:

Mr. Steve Haber, Project Manager
Historic Lobby Restoration
Miami-Dade County
"This Firm is very thorough, conscientious, accessible and very professional. This is one of the better Firms."

Ms. Martha Torres, Sr. Project Manager Student Activity Center/Graham Center Florida International University Commission Memo
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ANALYSIS (CONTINUED)

"This Firm provides excellent services with good quality documentation, responsiveness and very cooperative".

Mr. Steve Hammond, Project Manager Stirling Road Library and Passive Park Broward County Public Works "This is an excellent Firm, and we highly recommend them".

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the attached resolution which requests to accept the City Manager's recommendation pertaining to the ranking of qualifications received pursuant to Request for Qualifications (RFQ) No. 02-03/04, for the Planning, Design, Bid and Award, and Construction Administration Services for the Rotunda Restoration and Collins Park Renovation Project; authorizing the Administration to enter into negotiations with the top-ranked firm of M.C. Harry & Associates; and should the Administration not be able to negotiate an agreement with the top ranked firm, authorizing the Administration to negotiate with second-ranked firm of Edward Lewis Architects, Inc.; and should the Administration not be able to negotiate an agreement with the second-ranked firm, further authorizing the Administration to negotiate with the third-ranked firm of R.J. Heisenbottle Architects, P.A.

 $T: AGENDA \ 2004 \ Apr 1404 \ Consent \ RFQ 02-03-04 \ Rotunda \ Comm\ Memo 2. doc$

RESOL	UTION NO.	•
ILLOUL	-011011110	

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF QUALIFICATIONS RECEIVED PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 02-03/04, FOR THE DESIGN. BID AND AWARD, AND CONSTRUCTION PLANNING. ADMINISTRATION SERVICES FOR THE OLD MIAMI BEACH LIBRARY **PROJECT AUTHORIZING** ROTUNDA RESTORATION (RFQ); ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP-RANKED FIRM OF M.C. HARRY & ASSOCIATES, INC.; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRM, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE SECOND-RANKED FIRM OF EDWARD LEWIS ARCHITECTS, INC.; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM, FURTHER AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE THIRD-RANKED FIRM OF R.J. HEISENBOTTLE ARCHITECTS, P.A.

WHEREAS, on October 15, 2003, the City Commission authorized the issuance of RFQ No. 02-03/04 to solicit qualifications from professional firms with the capability and experience to provide planning, design, bid and award, and construction administration services for the Rotunda Restoration Project (the RFQ); and

WHEREAS, the original scope of work had an estimated cost of \$700,000, which includes A/E fees, construction, general overhead and profit, and construction contingency (this does not include City management fees); and

WHEREAS, the RFQ was issued on October 29, 2003, with an opening date of February 27, 2004; and

WHEREAS, on February 9, 2004, Addendum No. 4 to the RFQ was issued which included an additional scope to the project; and

WHEREAS, the additional project scope is limited to the Collins Park, Parking Lot, and adjacent Streetscape Improvements, which entails to Consultant's planning (Task 1), design (Task 2), bidding (Task 3) and construction administration (Task 4) services, additional services (Task 5) and Reimbursables (Task 6); and

WHEREAS, four (4) proposals were received in response to the RFQ, by the following firms:

- Edward Lewis Architects, Inc.;
- Indigo Service Corporation;
- M.C. Harry & Associates;
- R.J. Heisenbottle Architects, P.A.; and

WHEREAS, an Evaluation Committee was appointed by the City Manager via Letter to Commission (LTC) No. 004-2004, consisting of the following individuals:

- Nancy Liebman, Resident, Chair Collins Park Cultural Center Oversight Committee (Committee Chair);
- Efrin Izquierdo, Resident and Architect;
- Michael Hammon, Resident, developer, member of Collins Park Cultural Center Oversight Committee;
- Grisette Roque, VCA Director;
- Eric Fliss, RDA/Theater facilities professional;
- Nury Menicucci, CIP Office & Project Construction Manager; and

WHEREAS, on March 16, 2004, the Evaluation Committee convened and discussed the qualifications and credentials of all four firms, and consensus was to shortlist only the three (3) most qualified firms and invite the three firms to provide a 15-minute presentation, followed by a 15-minute question and answer session; and

WHEREAS, the Committee reconvened on April 5, 2004, for the second meeting; the Committee members discussed their individual ranking of all the firms and ranked the top three firms accordingly:

- First: M.C.Harry Associates;
- Second: Edward Lewis Architects, Inc.;
- Third: R.J. Heisenbottle Architects, P.A.; and

WHEREAS, the City Manager has reviewed the Evaluation Committee's recommendation, and recommends that the Mayor and City Commission accept the Committee's recommendation, relative to the ranking of firms pursuant to the RFQ and would recommend that the Administration enter into negotiations with the first-ranked firm of M.C.Harry Associates; if unsuccessful, negotiate with the second-ranked firm of Edward Lewis Architects, Inc.; and, if unsuccessful, negotiate with the third-ranked firm of R.J. Heisenbottle Architects, P.A.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission accept the recommendation of the City Manager pertaining to the ranking of firms pursuant to RFQ No. 02-03/04, and authorize the Administration to enter into negotiations with the top-ranked firm of M.C.Harry Associates; should the Administration not be able to negotiate an agreement with the top-ranked firm, authorize the Administration to negotiate with the second-ranked firm of Edward Lewis Architects, Inc.; and, should the Administration not be able to negotiate an agreement with the second-ranked firm, authorize the Administration to negotiate with the third-ranked firm of R.J. Heisenbottle Architects, P.A.

	PASSED and ADOPTED this	_ day of	, 2004.
ATTEST:		7.1	MAYOR PROVED AS TO
CITY CLER	RK		FORM & LANGUAGE & FOR EXECUTION